



Reportable Conduct Scheme Practice Workbook

Please read with care.

This resource covers sensitive topics, including child harm and abuse. If you are affected by, or have concerns about, any form of child abuse, we encourage you to seek advice and support. You can find support services on the back cover.

This workbook belongs





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Acknowledgements

We acknowledge and thank the young artists from the Tasmanian Aboriginal Centre for developing artwork featured throughout this guidance.

Disclaimer

This educational resource was developed for the October 2025 Reportable Conduct Scheme Workshops. It provides an introduction to the Reportable Conduct Scheme and references key elements of the *Child and Youth Safe Organisations Act 2023*. However, it does not fully detail the legislation and is **not** legal advice.

While every effort has been made to ensure accuracy, no responsibility is accepted for any errors or omissions. For complete and precise information, refer directly to the *Child and Youth Safe Organisations Act 2023*.

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Not sure? Contact the OIR.

We welcome questions if you're unsure.



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Key terms

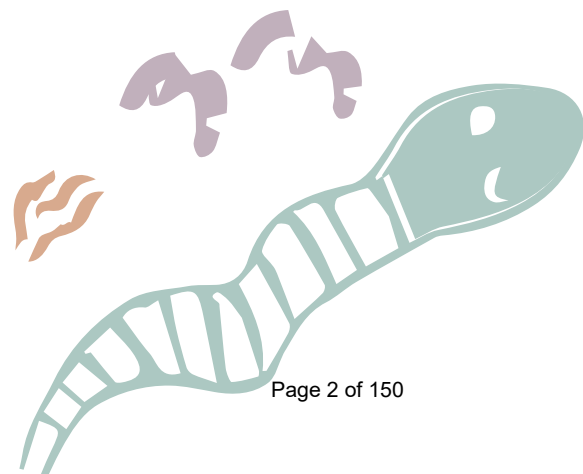


Some of the language we use might be different from what you're used to. Here are some of the key words we use, what we mean when we use them, and what you may know it as.

What we say	What we mean	You may know as
Organisation	<p>The word organisation includes, but is not limited to:</p> <ul style="list-style-type: none"> • the Crown (government authority) • individuals operating a business • incorporated organisations, such as companies or registered associations • unincorporated organisations, including informal groups or associations, regardless of their structure. 	<ul style="list-style-type: none"> • Agency • Association • Body • Business • Charity • Department • Entity • Foundation • Group
Leader of an organisation	<p>The term leader of an organisation means the individual responsible for leading the organisation. Who that is depends on the type of organisation:</p> <ul style="list-style-type: none"> • for Government Agencies, this is the Head of Agency, as defined under the <i>State Service Act 2000</i>, or their officially delegated representative • if prescribed by regulations, the person or group specifically designated as the head of the organisation by law will hold this role • for all other organisations: the Chief Executive Officer (CEO), regardless of the specific title used <ul style="list-style-type: none"> ◊ if no CEO exists, the principal officer of the entity ◊ if neither a CEO nor a principal officer is in place, the organisation may nominate an individual for the role, subject to approval by the Independent Regulator. 	<ul style="list-style-type: none"> • Chairperson • Commissioner • Coordinator • Director • Executive director • Head of entity • Head of organisation • Leaders of relevant organisation • President • Principal • Secretary

What we say	What we mean	You may know as
Worker	<p>The term worker is any person aged 18 years of age or over who is:</p> <ul style="list-style-type: none"> • employed by the organisation (regardless of whether their work involves children) • engaged to provide services (including volunteers, contractors, consultants, directors, committee members, or officers) • elected to a role in the organisation (e.g. councillor, MP) • undertaking training or work experience with the organisation • carrying out court-ordered work supervised by the organisation • a religious leader or worker in a religious body. 	<ul style="list-style-type: none"> • Contractor • Employee • Fixed-term employee • Public servant • Service provider • Staff • Team member • Volunteer
<ul style="list-style-type: none"> • Child • Children • Young person • Young people 	<p>The term child and/or young person means a person who has not yet reached 18 years of age.</p>	<ul style="list-style-type: none"> • Kid • Teenager • Youth • Minor • Adolescent • Student
OIR	Office of the Independent Regulator	Independent Regulator

Please note: The above terms are used in the context of organisations that must comply with the Reportable Conduct Scheme.



*“We consider that many of the problems we observed in responses to allegations or complaints of child sexual abuse or sexual misconduct in our Inquiry could have been prevented through a **reportable conduct scheme**”*

- Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, Volume 8: Oversight, coordination and therapeutic support (2023)

Understanding the Reportable Conduct Scheme

What will I learn?

By the end of this section, you'll understand:

-  If the Reportable Conduct Scheme applies to your organisation
-  What the Reportable Conduct Scheme is and how it works
-  How and when you would notify the OIR.

Activity



Reporting flowchart:

Identify where the Reportable Conduct Scheme sits in your organisation's child safety reporting processes.

How long will it take?



Approximately 30–45 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

No, this is the place to be if you have never heard of the Reportable Conduct Scheme, or are just starting out in learning about it.

You should know this document references harm and abuse affecting children and young people. Please take care while reading.

Understanding the Reportable Conduct Scheme

WHAT is it?

The Reportable Conduct Scheme is an oversight scheme that holds organisations accountable for how they respond when there are concerns raised about how a worker has treated a child.

The Reportable Conduct Scheme keeps organisations accountable by legally requiring their leaders to respond to these concerns and notify the OIR within strict timeframes.

WHY does it matter?

In the past—and still, in the current day—some organisations have not responded properly to these concerns, which has put children and young people at more or ongoing risk of harm and abuse.

The Reportable Conduct Scheme supports the identification of both serious risks as well as repeated, lower-level concerning behaviour—even if staff move between roles or the behaviour takes place off-site.

HOW does this impact me?

If you are a leader in one of these organisations, you are legally required to notify the OIR and respond to these concerns within specific timeframes.

If you work or volunteer in an organisation listed on page 12, you are likely considered a worker under the Reportable Conduct Scheme, and your behaviour is subject to scrutiny.

Five key things to know about the Reportable Conduct Scheme

1

The Reportable Conduct Scheme is about protecting the safety and wellbeing of children and young people.

This means concerns about harm or abuse by workers in organisations are taken seriously and responded to appropriately, because timely and appropriate action helps prevent further harm.

2

It focuses on how organisations must respond when concerns are raised.

Certain organisations have a legal responsibility to notify the OIR if a concern is raised that someone working with children has caused harm or abuse.

3

Concerns about a worker's behaviour under the Reportable Conduct Scheme are called 'reportable conduct allegations'.

Reportable conduct includes serious behaviours like grooming, physical violence, sexual offences or sexual misconduct, significant neglect, and significant emotional or *psychological harm*.

4

Responding to reportable conduct allegations under the Reportable Conduct Scheme means an investigation is done.

This means looking into what happened, understanding the situation, and taking fair and appropriate actions to keep children and young people safe.

5

The role of the OIR is to oversee the organisation's investigation.

We don't ordinarily do the investigation, but we do monitor how organisations carry out investigations. We offer guidance to organisations and ensure their investigation is fair, thorough, and child-centred.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



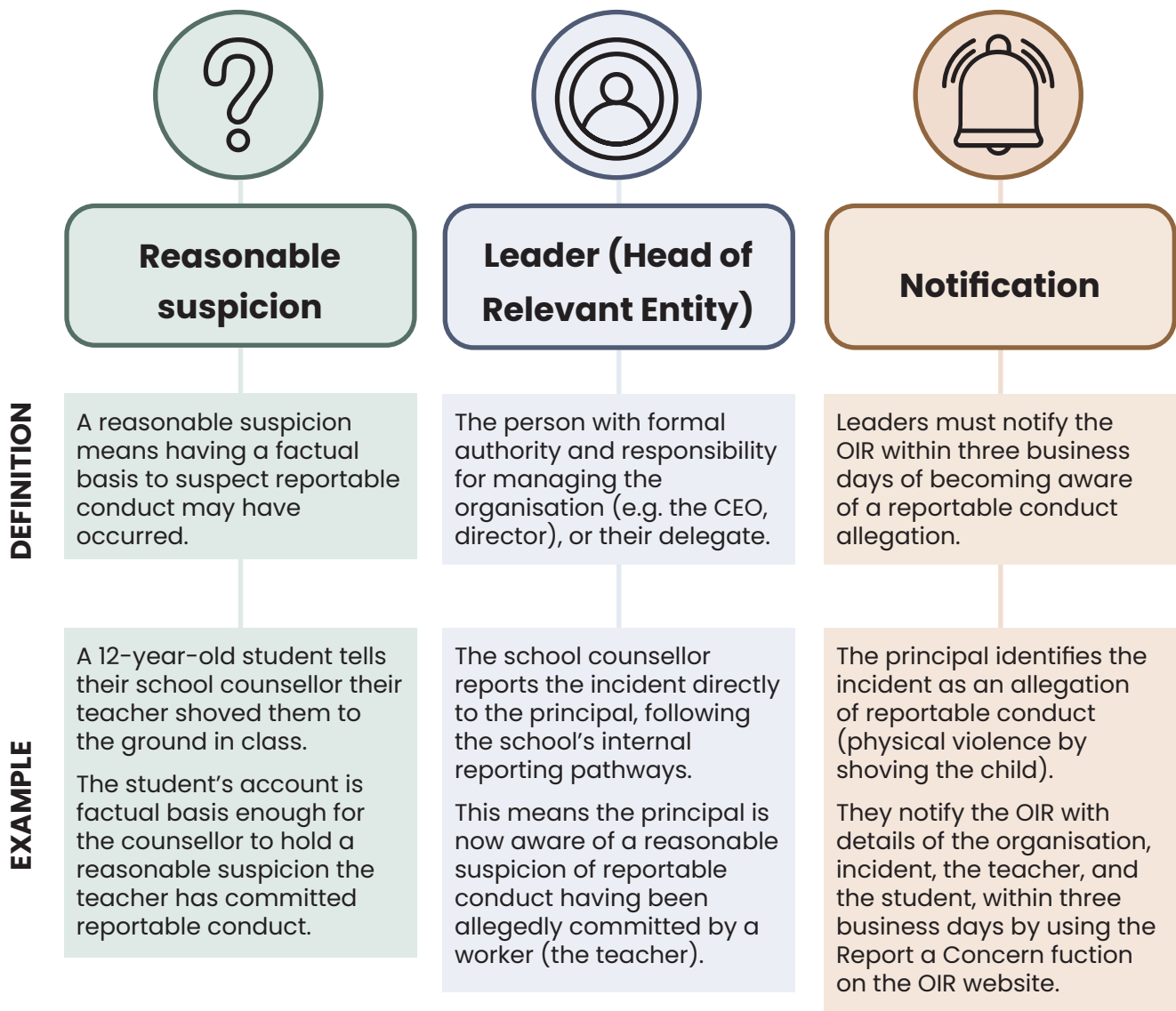
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Understanding the Reportable Conduct Scheme

This section summarises core elements of the Reportable Conduct Scheme, and gives you a fictional example to follow along with.



Oversight

The OIR independently oversees an organisation's investigation and considers if it is fair, thorough, and child-focused. We also provide guidance, including template investigation plans and templates.

Organisations with questions or needing support to notify or update the OIR can call us on **1800 754 728** or email us at **contact@oir.tas.gov.au**.



Update

The leader must provide the OIR with an investigation update within 30 days of becoming aware of the reportable conduct allegation.

An update is legally required by 30 days even if the investigation has not progressed significantly.

The principal updates the OIR by submitting an update within 30 days via the OIR website.

This update includes the investigation plan, risk assessment, mitigation measures. The principal advises they will be collecting statements from witnesses.



Final report

The leader must provide the final report to the OIR detailing the investigation findings.

The principal updates the OIR for the last time via the OIR website, now they have finished the investigation.

They submit a final report that shows how they arrived at their outcome, including relevant evidence and findings that the allegation of physical violence was substantiated, based on CCTV footage and witness statements.



Continuous improvement

Organisations **should** reflect on reportable conduct investigations to examine if the circumstances reveal a gap in practice and/or a repeating issue.

To identify these gaps and issues, organisations should consider the circumstances against the 10 Child and Youth Safe Standards and Universal Principle for Aboriginal Cultural Safety.

The principal considers the investigation and decides to strengthen awareness and enforcement of the school's Code of Conduct by reissuing the policy to all staff and talking about it in a staff meeting.

Timeline of an investigation

This page summarises core elements of an investigation, such as writing your investigation plan and final report.

Make necessary reports to authorities (e.g. Tasmania Police)

Maintain confidentiality for both the subject of allegation and the alleged victim

ALWAYS

Consider and mitigate **immediate safety risks**

This could look like moving someone from child-related duties or providing additional supervision.

If the allegation is potentially criminal, notify police.

Decide **who** should do the **investigation**

Consider any conflicts of interest and/or if there's a need to hire an external independent investigator.

If police are investigating, then check with them before starting your investigation.

Develop an **investigation plan**

Write a plan that outlines the steps that need to be taken. If you find later you need to expand or change parts, that's okay.

It can help to also start keeping a list of all the steps you are taking.

Collect and document **evidence**

This could look like interviewing relevant people, doing site inspections, viewing CCTV, and obtaining records like sign-in sheets.

ADDITIONAL STEPS IF REQUIRED

Inform the subject of allegation and provide them an opportunity to respond to the allegations.

TEMPLATES IN THIS PACK

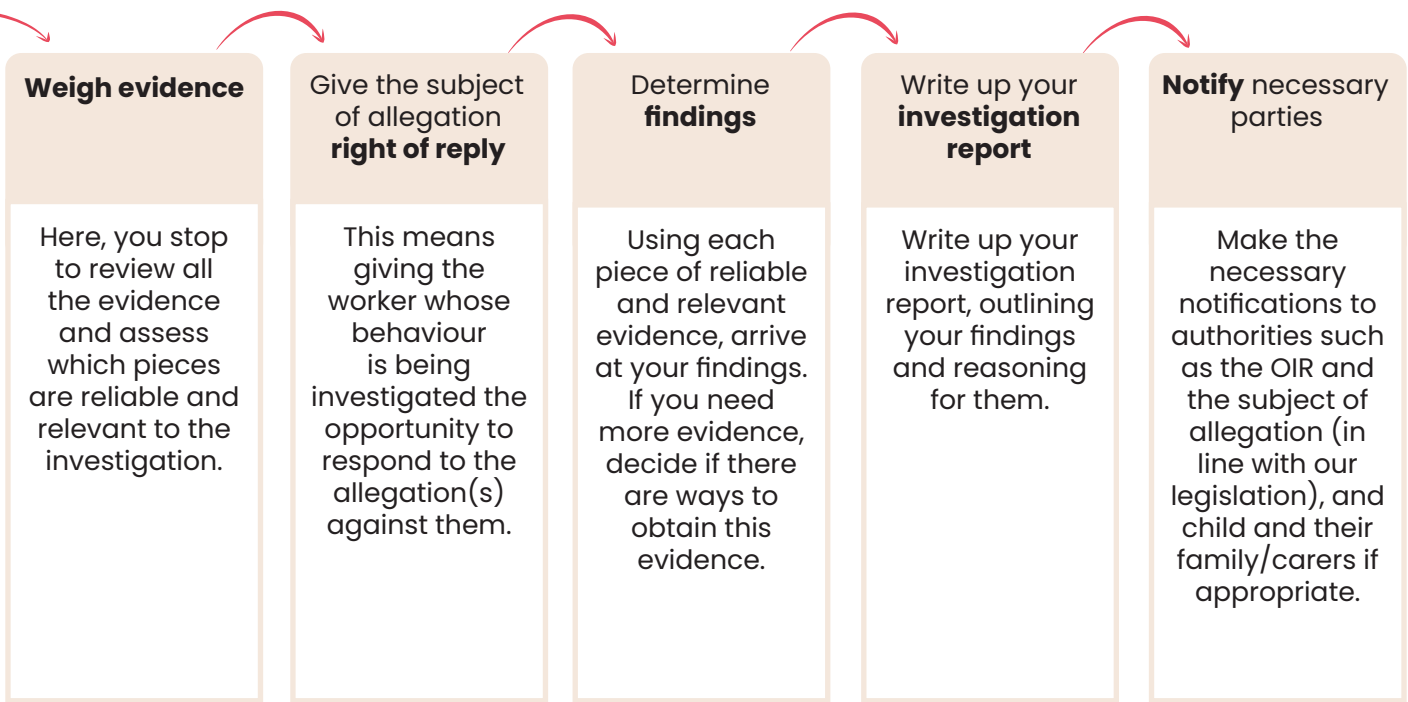
TEMPLATE

Reportable conduct **investigation plan** template



Fulfil reporting obligations (e.g. to the OIR, to any relevant profession-based regulators)

Maintain this confidentiality throughout the investigation



TEMPLATE

Reportable
conduct
**investigation
report** template

Does the Reportable Conduct Scheme apply to my organisation?

The next step is to determine whether the Reportable Conduct Scheme applies to your organisation. Broadly, the Reportable Conduct Scheme applies to organisations that:

- have a high responsibility for children and young people and/or
- carry higher risks to children and young people.

These two questions will help you to determine if the Reportable Conduct Scheme is likely to apply to your organisation. But keep in mind, this guidance is a summary only, and you should always go back to the Child and Youth Safe Organisations Act 2023 and/or get legal advice if you're not sure.

1

Does your organisation fall into one of these categories?



Accommodation services



Faith-based organisations



Early childhood education and commercial babysitting



Child protection services and out-of-home care



Health services (including hospitals)



Tasmanian Government and Local Government



Tasmanian Parliament



Government House



Clubs and associations with significant child and youth membership



Disability services



Coaching and tuition services



Education services

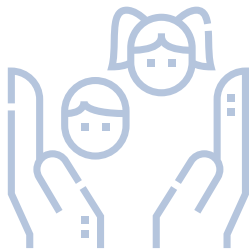


Justice and detention services

2

Does your organisation provide services specifically for children and young people?

And/or does it provide facilities specially for children and young people under the organisation's supervision?



By services specifically for children and/or young people, we mean:

- services or programs designed for children and young people, or
- services or programs that are deliberately applied to them, even if only occasionally.

For example, schools, childcare centres, youth clubs, and sporting programs for children.



By facilities specifically for children and/or young people under the organisation's supervision, we mean facilities:

- designed for, or have a particular application to, children and young people, or
- that require workers to watch over or take responsibility for children and young people while they use them.

For example, playgrounds, community centres, campsites, sports fields, and child-focused recreational spaces.

Did you answer yes to both Question 1 and 2?

If you answered yes to both of the above, then it's likely the Reportable Conduct Scheme applies to your organisation.

To make sure:

- refer to Schedule 3 of the Child and Youth Safe Organisations Act 2023
- refer to Section 35(2) of the Child and Youth Safe Organisations Act 2023 which defines relevant body as an entity
- consider getting legal advice.

Reporting flowchart activity:

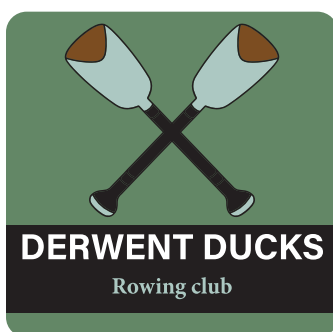
How are child safety concerns handled in your organisation?

Once you've determined whether the Reportable Conduct Scheme applies to your organisation, the next step is to consider how it fits with your existing processes for raising and managing concerns.

The flowchart on the next page shows an example from a fictional organisation called the Derwent Ducks. After that, you'll find a template to help you map out what this process looks like in your own organisation, and where notifying the OIR fits in.

Afterwards, there is a step-by-step guide to help leaders understand what they need to think about when determining whether to notify the OIR.

Example organisation and their reporting process



The Derwent Ducks is a small rowing club for children and young people.

They recently learned the Reportable Conduct Scheme applies to their organisation because they:

- are a **club or association** with **a significant membership of children and young people**, and
- they provide **services and facilities specifically for children and young people**.

To understand how the Reportable Conduct Scheme fits with their existing processes, they are creating a one-page overview showing how children, young people, families, staff, and volunteers can raise concerns with them.

When it's done, they share this one-pager outlining reporting process by:

- publishing it on their website or social media (e.g. Facebook),
- printing it and displaying it in common areas like the club room, and
- sending it to all staff and families via email.

How to raise a child safety concern with Derwent Ducks

This is a fictional example, use the template on the following page to draft your own.

Who can report?

Parents & carers

Children & youth

Staff & volunteers

Call 000 if someone is in immediate danger

What can be reported?

Report any concerns about child safety, including:

- a child discloses abuse or harm
- you see or hear something worrying
- someone breaches our Code of Conduct
- there's a safety risk in the environment.

How do you report?

- **Request a meeting** with Andy Smith, Manager
- **Write to us** at PO Box 1234 Derwent
- **Email us** at childsafetyofficer@derwentducks.com
- **Call us** on 6111 1111

Who gets these reports?

- Your report will go to **Andy Smith**, Manager
- If you are not comfortable with this, you can ask to speak to someone else.



What happens next?

We will:

- determine if the concern needs to be reported to authorities and/or if it is an allegation of reportable conduct towards one of our workers, and if so, notify the Office of the Independent Regulator
- take steps to keep the child safe, understand what happened, and start any disciplinary action if needed
- support the child, their family, the person who raised the concern, and the staff member or volunteer involved.

What can the outcomes be?

After we investigate the concern:

- a decision is made about what happened
- staff, volunteers, the child and their parents are told the outcome, if it appropriate to do so
- policies and procedures are updated if needed.

How to raise a child safety concern with

Who can report?

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Children & youth

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- a child discloses abuse or harm
- you see or hear something worrying
- someone breaches our Code of Conduct
- there's a safety risk in the environment.

How do you report?

- **Request a meeting** with
- **Write to us** at
- **Email us** at
- **Call us** on

Who gets these reports?

- Your report will go to
- If you are not comfortable with this, you can ask to speak to someone else.

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- determine if the concern needs to be reported to authorities and/or if it is an allegation of reportable conduct towards one of our workers, and if so, notify the Office of the Independent Regulator
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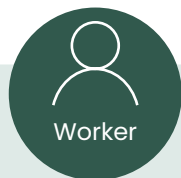
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- a decision is made about what happened
- staff, volunteers, the child and their parents are told the outcome, if it appropriate to do so
- policies and procedures are updated if needed.

Step-by-step guide for leaders

Do I need to notify the OIR?



1. Is the concern about the alleged behaviour of a worker?

Start by considering who the concern is about.

In this context, a worker means any adult (18+) who is:

- employed by your organisation (paid or unpaid)
- volunteering, contracting, or consulting
- a board, committee member, councillor, or MP
- doing training, work experience or court-ordered service
- a religious leader or religious worker.



Yes



No



2. Did the alleged behaviour involve a child or young person?

Think about who was affected. Was it someone under the age of 18?

Remember, this includes children and young people who aren't directly involved in your organisation as well as those who are.



Yes



No



3. Is the alleged behaviour possibly reportable conduct?

Some types of behaviour must be reported to the OIR. These include:

- grooming
- physical violence
- sexual offences or misconduct
- significant neglect
- significant emotional or psychological harm
- relevant offences.

This includes behaviour outside of work hours, off-site, or online. For more information, see page 25.



Yes



No



4. Do you have a reasonable suspicion that this occurred?

You might have a reasonable suspicion if:

- you saw or heard it yourself
- a child told you it happened
- someone else saw or heard it and raised it with you.



Yes



No



If you answered YES to all the above:

You must notify the OIR within three business days of becoming aware.



If you answered NO to any of the above:

You likely do not need to notify the OIR, but you likely need to report the incident to other agencies or take steps to address the issue.

Guide for leaders

What do I need to tell the OIR and when?

Now that you understand how the Reportable Conduct Scheme works and fits within your organisation's existing processes, it's important you know what information you need to provide to the OIR.

There are three key stages when leaders need to provide information to the OIR: **notification**, **update**, and **final report**.

Notification



Within three business days, the leader of the organisation must let the OIR know in writing—if:

- a reportable conduct allegation has been made against a worker, or
- a worker has a reportable conviction (e.g. a court conviction for serious offence involving a child) recorded.

The notification must include:

- key details about the reportable conduct allegation
- the name of the worker, and date of birth (if known)
- whether the behaviour might be a criminal offence, and if so that Tasmania Police have been informed
- the organisation's name, address and phone number
- the name of the organisation's leader.

Update



Within 30 days, the leader must send updated information to the OIR. This includes:

- what the organisation knows so far about the allegation
- what actions have been taken (e.g. changing the worker's duties or standing them down)
- any written statements or submissions the worker has provided.

Final report



At the end of the investigation, the leader must provide final details to the OIR.

This includes:

- the findings of the investigation (**Substantiated, Unsubstantiated, Not Reportable Conduct or Did not occur**)
- the reasons for those findings (evidence used)
- details of any actions taken as a result (e.g. disciplinary action, training, changes to procedures).

Quiz activity: Test your knowledge

Let's check your understanding of some of the key takeaways from this section.

1. What is the main purpose of the Reportable Conduct Scheme?

- A** To make organisations accountable for concerns about how a worker treats a child or young person
- B** To replace existing child safety laws
- C** To discipline workers

2. Who is considered a worker under the Reportable Conduct Scheme?

- A** Only paid employees
- B** Anyone over 18-years-old doing paid work, volunteering, or contracted work with the organisation
- C** Children attending the organisation

3. What is "reportable conduct"?

- A** Behaviours like grooming, physical violence, sexual misconduct, neglect, or significant emotional harm
- B** Minor disagreements between staff members
- C** Accidental property damage

4. When must a leader notify the OIR about a reportable conduct allegation?

- A** At the end of the year
- B** Within 30 days
- C** Within 3 business days

5. What is the role of the OIR in an investigation?

- A** They carry out the investigation themselves
- B** They oversee the organisation's investigation to ensure it is fair, thorough, and child-focused
- C** They stand down the worker and suspend their Registration to Work with Vulnerable People

Answers: A, B, A, A, C, B

Understanding the Reportable Conduct Scheme

Common misunderstanding and what you should know

“ It only applies to behaviour inside the workplace. ”

The Reportable Conduct Scheme applies to a worker's behaviour **anywhere, anytime**—not just at work.

This includes behaviour that happens **outside of work hours, off-site, or online**. If the behaviour could meet the definition of reportable conduct, it must be reported—regardless of where or when it occurred.



“ It only applies to workers who have direct contact with children. ”



The Reportable Conduct Scheme covers **all workers over 18-years-old** in the organisation, not just those working directly with children.

This includes **volunteers, contractors, board or committee members, consultants, MPs, councillors, religious leaders, and people doing work experience or court-ordered placements**.

“Only senior leaders need to worry about this.”

Everyone in an organisation has a role to play.

While senior leaders are **responsible for notifying the Independent Regulator**, all staff and volunteers should understand what reportable conduct is and know how to raise concerns safely.



“If I report to one oversight body, I don’t need to report to the others.”



You may need to report to **multiple oversight bodies**—not just one. For example, a matter may need to be reported to:

- the **Independent Regulator** (for reportable conduct)
- **Tasmania Police** (for suspected criminal behaviour).
- **Strong Families Safe Kids Advice and Referral Line** (for mandatory reporters and if there is a risk of harm to a child or young person that involves a family member or a member of the public).

Each body has a **different role**, and reporting to one doesn’t cover your legal obligation to report to the others.

“We’ll wait until the investigation is finished before reporting.”

Leaders must notify the OIR within three business days of becoming aware of a reportable allegation or conviction.

Notifying early helps manage risk and ensures the process is monitored for fairness and child safety.





Identifying reportable conduct

What will I learn?

By the end of this section, you'll understand:

-  what the different types of reportable conduct are
-  how to assess different scenarios and determine whether they are reportable conduct or not
-  what *lawful justification* or *excuse* and *minor*, *trivial*, or *negligible* mean when it comes to physical violence.

Activity



Scenarios: Work through four fictional scenarios and decide whether they are likely to be reportable conduct.



Scenarios: Work through another three scenarios and determine if the physical force was lawfully justified or excusable, or if it was minor, trivial or negligible.

How long will it take?



Approximately 45–60 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the section on: Understanding the Reportable Conduct Scheme.

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Identifying reportable conduct

WHAT is it?

Reportable conduct covers six types of criminal and non-criminal behaviour by workers towards, and sometimes in the presence of, children and young people.



Grooming



Physical violence



Sexual offences and misconduct



Significant psychological and emotional harm



Significant neglect



Relevant offences

WHY does it matter?

These types of behaviour are particularly harmful to children and young people. By requiring organisations to notify the OIR of these behaviours, we ensure there is independent oversight where the risk of harm and abuse to children and young people in organisations is the highest.

HOW does this impact me?

You need to be able to recognise and report these behaviours to keep children and young people safe in your organisation.

Five key things to know about identifying reportable conduct

1

Behaviour outside of the workplace can still be reportable conduct.

This includes behaviour by workers towards children and young people who aren't directly connected to the organisation, as well as behaviour that happens online.

2

Behaviour from the past can still be reportable conduct.

If the organisation leader only learns about the behaviour now—even if it happened before the Reportable Conduct Scheme began—it must still be treated as reportable conduct.

3

Cultural safety matters.

Racism, discrimination and harmful behaviour towards children and young people's culture, language, or identity can cause significant emotional and psychological harm, and must always be taken seriously.

4

In some situations, physical violence may not be considered reportable conduct if there is *lawful justification or excuse*, or it is *minor, trivial or negligible*.

This only applies in specific circumstances and there are still some steps organisations must take in these situations.

Please go to oir.tas.gov.au for more information about minor, trivial or negligible.

5

Not every concern reported will be reportable conduct—but every concern deserves a response.

Even if it's not reportable conduct, your organisation should still take steps to respond and learn from incidents and complaints.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



1800 754 728



contact@oir.tas.gov.au

What are the different types of reportable conduct?

Reportable conduct includes six different types of behaviour. These definitions may be different from how these words are used in criminal law, workplace policies, or everyday language.

Below is an overview of each type of reportable conduct.



Physical violence

- **Apprehended physical violence:** A worker's actions make a child fear they are about to be physically harmed.
- **Actual physical violence:** A worker intentionally or recklessly uses physical force against a child without lawful justification or excuse.



Sexual offences and misconduct

- **Sexual offences:** A worker commits criminal acts of a sexual nature towards a child.
- **Sexual misconduct:** A worker engages in inappropriate behaviour, physical contact or communication towards a child which could reasonably be considered as sexual in nature.



Significant psychological and emotional harm

A worker's actions directly cause or are likely to cause harm to a child's wellbeing or development.



Significant neglect

A worker deliberately or recklessly fails to meet a child's basic needs, which has an impact on the child.



Relevant offences

A worker engages in certain other criminal behaviour that don't fall into the categories above, such as female genital mutilation and failing to report the abuse of a child.



Grooming

A worker deliberately builds a relationship with a child, which can include the child's family and friends, to gain their trust and prepare them for sexual abuse.

Activity

Recognising reportable conduct in practice

The scenarios below are designed to help you practise assessing whether an incident or behaviour is likely to be reportable conduct, and determining next steps.

Scenario 1

A 30-year-old coach at a football club was seen yelling aggressively at a young player and then grabbing their wrist to drag them into position during practice. The 14-year-old player looked upset and later told their mate that the coach squeezed their wrist so hard it left a bruise.

Circle your assessment

Comments/notes box			
Does the Reportable Conduct Scheme apply to this organisation?	YES	NO	
Is the concern about the behaviour of a worker?	YES	NO	
Did the behaviour involve a child or young person?	YES	NO	
Could the behaviour be reportable conduct?	YES	NO	
Do you have a reasonable suspicion that this occurred?	YES	NO	
What are the next steps the organisation should take?			

Scenario 2

A 45-year-old school teacher followed a 17-year-old student on social media, and sent them messages. At first, the teacher shared posts related to their classes, but over time the messages became more personal. This included comments about the student's appearance, questions about their romantic life, and invitations to meet outside of school hours. The student's parent discovered the messages and told the principal. The student didn't want this reported because they like the teacher.

Circle your assessment

Comments/notes box			
Does the Reportable Conduct Scheme apply to this organisation?	YES	NO	
Is the concern about the behaviour of a worker?	YES	NO	
Did the behaviour involve a child or young person?	YES	NO	
Could the behaviour be reportable conduct?	YES	NO	
Do you have a reasonable suspicion that this occurred?	YES	NO	
What are the next steps the organisation should take?			

Scenario 3

A 21-year-old tells a colleague that when they were 12-years-old, a 28 year old staff member at a youth camp touched them inappropriately during a group hike. The individual only felt safe to speak about it years later, and the staff member in question still works at the youth camp.

Circle your assessment

Comments/notes box			
Does the Reportable Conduct Scheme apply to this organisation?	YES	NO	
Is the concern about the behaviour of a worker?	YES	NO	
Did the behaviour involve a child or young person?	YES	NO	
Could the behaviour be reportable conduct?	YES	NO	
Do you have a reasonable suspicion that this occurred?	YES	NO	
What are the next steps the organisation should take?			

Scenario 4

A 17-year-old volunteer at a community youth program is found showing sexually explicit memes to a 16-year-old participant. Another child saw this happen and told the program director.

Circle your assessment

Comments/notes box			
Does the Reportable Conduct Scheme apply to this organisation?	YES	NO	
Is the concern about the behaviour of a worker?	YES	NO	
Did the behaviour involve a child or young person?	YES	NO	
Could the behaviour be reportable conduct?	YES	NO	
Do you have a reasonable suspicion that this occurred?	YES	NO	
What are the next steps the organisation should take?			

Let's check your responses

Below are the answers for each scenario, along with extra information explaining why each situation is—or isn't—considered reportable conduct.

 **worker**

 **organisation**

 **behaviour**

Scenario 1

A 30-year-old coach at a football club was seen yelling aggressively at a young player and then grabbing their wrist to drag them into position during practice. The 14-year-old player looked upset and later told their mate that the coach squeezed their wrist so hard it left a bruise.

 **reasonable suspicion**

 **child/young person**

Outcome

This **is an allegation of reportable conduct** and **must be reported** to the OIR and investigated.

 **organisation**

 **worker**

 **child/young person**

Scenario 2

A 45-year-old school teacher followed a 17-year-old student on social media, and sent them messages. At first, the teacher shared posts related to their classes, but over time the messages became more personal. This included comments about the student's appearance, questions about their romantic life, and invitations to meet outside of school hours. The student's parent discovered the messages and told the principal. The student didn't want this reported because they like the teacher.

 **behaviour**

 **reasonable suspicion**

Outcome

This is **an allegation of reportable conduct** and **must be reported** to the OIR and investigated.

But it occurred online and outside of the school?

The Reportable Conduct Scheme applies to online behaviour, and behaviour outside of the organisation.

But the young person doesn't want it reported?

This doesn't change the requirement to report. Adults are responsible for their behaviour, regardless of how a child responds.



reasonable suspicion



child/young person



worker

Scenario 3

A 21-year-old tells a colleague that when they were 12-years-old, a 28 year old staff member at a youth camp touched them inappropriately during a group hike. The individual only felt safe to speak about it years later, and the staff member in question still works at the youth camp.



behaviour

Outcome

This **is an allegation of reportable conduct** and **must be reported** to the OIR and investigated.

But it happened almost a decade ago?

Delayed disclosure is common—children can take years, even decades, to disclose harm and abuse. This does not make the disclosure any less significant or genuine.

But the Reportable Conduct Scheme only started in 2024?

Historical reportable conduct allegations must still be reported if:

- the leader of the organisation became aware of the allegation after 2024
- the worker is still working in an organisation that comes under the Reportable Conduct Scheme.



worker



organisation

Scenario 4

A 17-year-old volunteer at a community youth program is found showing sexually explicit memes to a 16-year-old participant. Another child saw this happen and told the program director.



behaviour



child/young person



reasonable suspicion

Outcome

This is **not an allegation of reportable conduct** because the worker is under 18 years of age.

But the behaviour is not ok?

- Just because it is not reportable conduct, does not mean an organisation does not need to respond to the situation. This behaviour would likely breach internal policies.
- The organisation should take steps to address the behaviour.

When you may not need to notify the OIR about physical violence

When it comes to physical violence, there are **two** instances when you may not need to notify the OIR:

1. if there is lawful justification or excuse
2. if it was minor, trivial or negligible.

What 'counts' as lawful justification or excuse?

Lawful justification or excuse means using physical force to prevent immediate harm. For example, stopping a child running into traffic or stopping a child from climbing over a balcony railing.

This can include stopping a child or young person from:



hurting themselves or someone else



seriously damaging property.

If lawful justification or excuse can be clearly shown, then the behaviour would **not be considered reportable conduct**, and the OIR would not need to be notified.

What 'counts' as minor, trivial or negligible

Physical force that does not cause injury—and could not reasonably have caused injury—may be considered minor, trivial or negligible.

For example, gently tapping a child on the head to get their attention or lightly pushing them in the back to get them to move to the side.

In these situations, you may not need to notify the OIR, **but that doesn't mean the behaviour of the worker is ok**. There are still certain steps you must take to ensure an appropriate response.

The three-step decision-making tool on the next page will help you determine whether the physical force was minor, trivial or negligible, and what action to take next.



Minor, trivial or negligible does not apply to out-of-home care and Ashley Youth Detention Centre.

In out-of-home care settings and Youth Justice, all physical violence—even if it seems minor, trivial or negligible—must be notified to the OIR and investigated.



Importantly, this **does not** mean workers (e.g. carers or youth workers) should avoid necessary physical intervention to prevent harm (e.g. stopping a child from hurting themselves or others).

This would likely be considered lawful justification or excuse.

Three steps to determine if physical force was minor, trivial or negligible, and next steps

*Note: This does **not** apply to out-of-home care and Youth Justice.*

1

Identify if the behaviour might be minor, trivial or negligible

A concern is raised about physical force, but initial information suggests:

- no injury was caused, and
- injury could not have reasonably occurred.

Examples:

- a teacher gently tilts a student's head up to get their attention
- a childcare educator gently guides a toddler's hand to support them to redirect a movement during play.
- a coach places a hand on a player's back to gently push them off the field.

2

Conduct an initial review (within 3 business days)

This means:

- speaking with the people involved
- reviewing available evidence (e.g. CCTV, witness statements)
- documenting your findings.

Example where an initial review is possible:

- the worker is available to be spoken with, and another young person witness confirms the contact was brief and not violent.

Examples where an initial review is not possible:

- there's not enough time or evidence to clarify what happened (e.g. the only witness is on leave)
- the event wasn't recorded or witnessed, and the accounts
- are conflicting.

If an initial review is not possible:

You must:

- notify the OIR, and
- undertake a reportable conduct investigation.

3

Consider the outcome of your initial review

If the behaviour **is confirmed to be minor, trivial or negligible**:

- you **do not** need to:
 - ◊ **notify** the OIR
 - ◊ **undertake** a reportable conduct investigation.
- you **do** need to:
 - ◊ document the process, evidence and your decision
 - ◊ keep the records in a secure place in case of future audit
 - ◊ record any follow-up actions taken (e.g. reflective supervision or training of the worker).

If the behaviour is **not minor, trivial or negligible—or you can't decide**

- **you must**
 - **notify** the Office of the Independent Regulator, and
 - **undertake** a reportable conduct investigation.

Examples:

- evidence in the initial review reveals the contact was more forceful than first thought and caused a mark
- you ran out of time during your initial review and couldn't confirm key details.



Activity

Lawful excuse or justification or minor, trivial or negligible

Read through the below scenarios and determine if there might be lawful justification, or it could be minor, trivial or negligible.

	Lawful excuse or justification, or minor, trivial or negligible?	Notify the OIR?
Scenario 1 During a group game at an after-school program, a staff member lightly taps a child on the back to get their attention.		
Scenario 2 A carer in out-of-home care grabs a child by the arm and pulls them back to stop them from running into traffic. Once the child is safe, they let go of their arm.		
Scenario 3 A teacher gently flicks a child on the arm and tells them to stop using their phone during class.		

Leaders

- If workers in your organisation are repeatedly using physical force that is lawfully justified or excusable, this may point to underlying safety concerns for children and young people.
- These issues may need to be addressed through changes to practice, policy, or the physical environment. For example, if staff often use physical force to stop children entering dangerous areas, this could signal gaps in safety measures that might be addressed with secure doors, fencing, or other physical barriers.

Let's check your responses

Below are the answers for each scenario, indicating whether they might not need to be notified to the OIR because there may have been lawful excuse or justification, or physical force was minor, trivial or negligible.

Scenario 1

Because the behaviour did not cause injury, and could not have reasonably caused injury, the physical force appears minor, trivial or negligible.

The organisation is also not an out-of-home care provider or Ashley Youth Detention Centre, so the organisation can conduct an initial review and may not need to notify the OIR.

Scenario 2

Because the physical force was used to stop a child from hurting themselves, and appears to be reasonable and no more than necessary, the behaviour appears to have had lawful justification or excuse.

In this situation, the organisation would not need to notify the OIR. However, if this could not be established within the first 3 days after the leader became aware of the incident, the OIR must be notified.

Scenario 3

Because the behaviour did not cause injury, and could not have reasonably caused injury, the physical force appears minor, trivial or negligible.

The organisation is also not an out-of-home care provider or Ashley Youth Detention Centre, so the organisation can conduct an initial review and may not need to notify the OIR.



Identifying reportable conduct

Common misunderstandings and what you should know

“ If the child encouraged the behaviour, it’s their fault. ”

Never. Children and young people can’t consent to abuse, and it is never their responsibility to stop an adult’s behaviour.

Power imbalances mean adults are always accountable—even if the child appears to engage or consent.



“ If the behaviour made the child laugh, it must be okay. ”



Children may laugh, play along, or seem comfortable—but that doesn’t make it appropriate.

Grooming and boundary violations often feel confusing to children and may appear harmless on the surface.

“ Reportable conduct only happens in person—not online. ”

Abuse and grooming can happen **anywhere**, including online. Any inappropriate online communication, behaviour, or exploitation involving a child can be reportable conduct.



“ It’s just the worker’s personality—they didn’t mean harm. ”

Even if someone didn’t mean to cause harm, their behaviour may still be harmful or cross professional boundaries.



“ If the adult didn’t touch the child, it’s not sexual misconduct. ”

Sexual misconduct includes **non-physical** behaviour—like sexual comments, gestures, or sharing of explicit or inappropriate material.



“Adults have to watch kids more. Not be so caught up in their own little world. If a kid changes then they should ask, ask the kid’s friends, find out what’s going on. **That’s their job.** They shouldn’t wait until the kid says something because that’s going to be too late.”

–Young Person

Taking us seriously: Children and young people talk about safety and institutional responses to their safety concerns (2015)

Supporting children and young people to raise concerns

What will I learn?

By the end of this section, you'll understand:

-  the supports and practices that help children and young people feel confident to raise concerns
-  the barriers children and young people may face when raising concerns, including those that could exist in your organisation
-  how your current practices may already promote safety and trust, and how they can be further strengthened.

Activity



Reflection exercise

Test how well your organisation currently supports children and young people to raise concerns—and identify ways to improve.

How long will it take?



Approximately 20–40 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on: Understanding the Reportable Conduct Scheme and Identifying reportable conduct.

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Supporting children and young people to raise concerns

WHAT is it?

It means creating an environment where children and young people feel safe, know who they can talk to, and are told what they can raise concerns about.

WHY does it matter?

Children face many barriers to raising concerns, yet it's often assumed they will say something if something is wrong. But without proactive support, most children will stay silent—leaving them at risk of ongoing harm or abuse.

HOW does this impact me?

You are responsible for identifying and reducing these barriers in your organisation. By building a safe and supportive environment, you help children feel confident and empowered to raise concerns.

Five key things to know about supporting children to raise concerns

1

Children are the experts in what makes them feel safe.

Listen to children about what makes them feel safe, what they would change, and how they want to raise concerns. Then act.

2

A child-safe organisation doesn't wait for complaints.

Work proactively to build trust and safety across your organisation, make sure children know who they can talk to, and remove the barriers to speaking up.

3

Children and young people with diverse needs face additional barriers to speaking up.

Each child's background shapes the challenges they may face in speaking up. Organisations need to recognise and respond to these unique barriers.

4

It's not just about one 'good' staff member—it's everyone's role.

Every adult in your organisation can and must contribute to building trust with children and young people.

5

Listening to their ideas makes children more likely to share concerns.

Children should be encouraged to share feedback and experiences to help improve services—and their perspectives should always be taken seriously. Seeking input from children when designing or updating the appearance of your organisation can make them feel empowered and included.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



1800 754 728

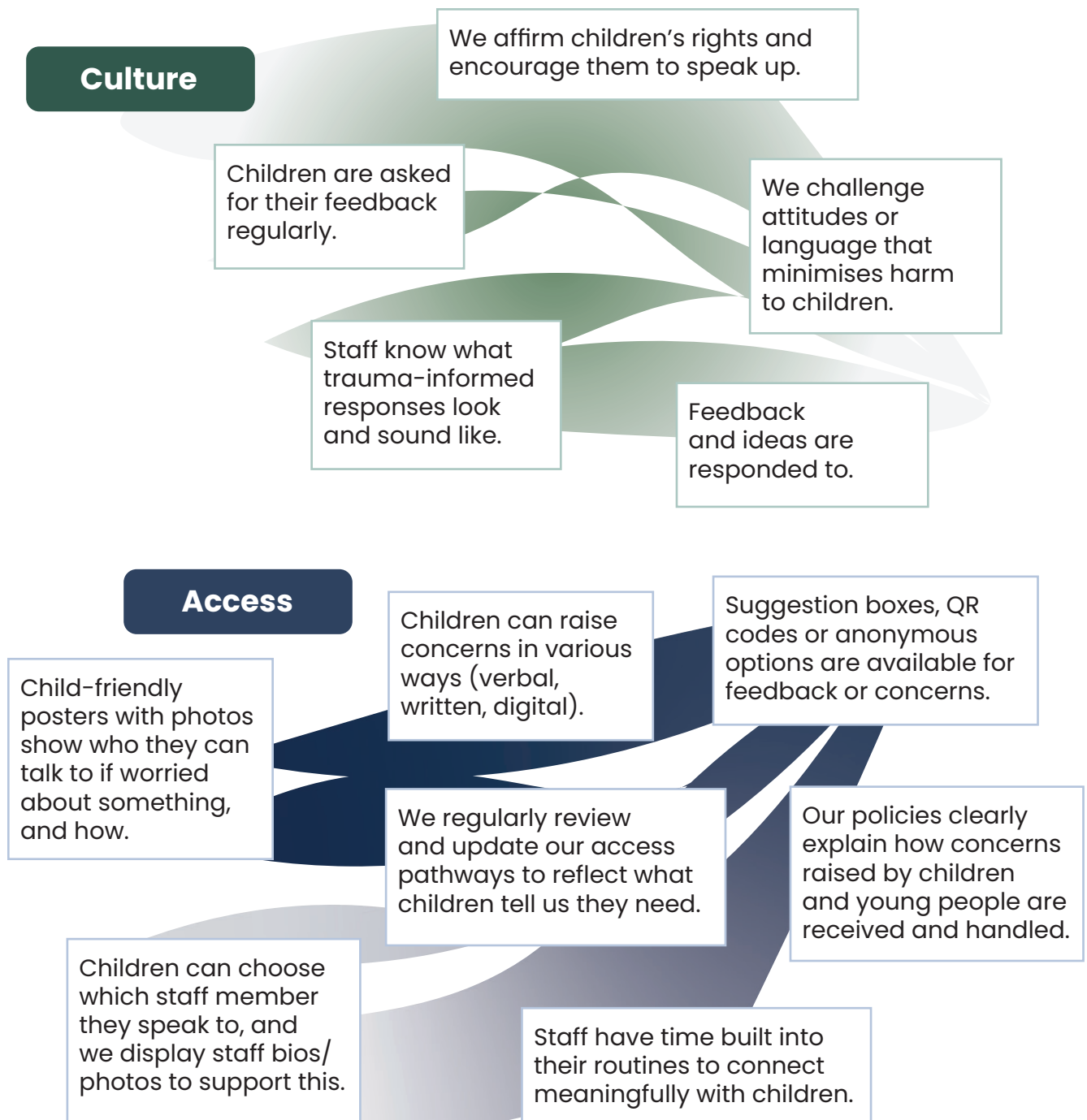


contact@oir.tas.gov.au

Practical ways an organisation can support children to raise concerns

Children are the experts in what makes them feel safe.

Listen to children about what makes them feel safe, what they would change, and how they want to raise concerns. Then take action.



Education

Families/carers are told how we support child who disclose harm.

Staff get training on responding to a child's disclosure.

Staff get clear guidance on legal and/or reporting obligations.

We run age-appropriate education for children on safety.

Children have shaped our safety processes.

We tell children how we work to keep them safe in a way they can understand.

Trust

Staff know how to record any important information shared by a child.

We prioritise consistency in staffing so children are familiar with the adults around them.

We have a policy that encourages staff to form warm, professional relationships while maintaining clear boundaries.

Our organisation is vigilant to the needs of children who may be at greater risk or who seem disengaged.

Children are invited to participate in decisions that affect them, including safety planning or program design.

Families and carers are treated as partners in creating safe environments.

Space

We display posters or signs that tell children they have the right to feel safe and speak up.

We have clear rules about how to use online spaces.

We have a designated calm/quiet space that children or young people can use if overwhelmed.

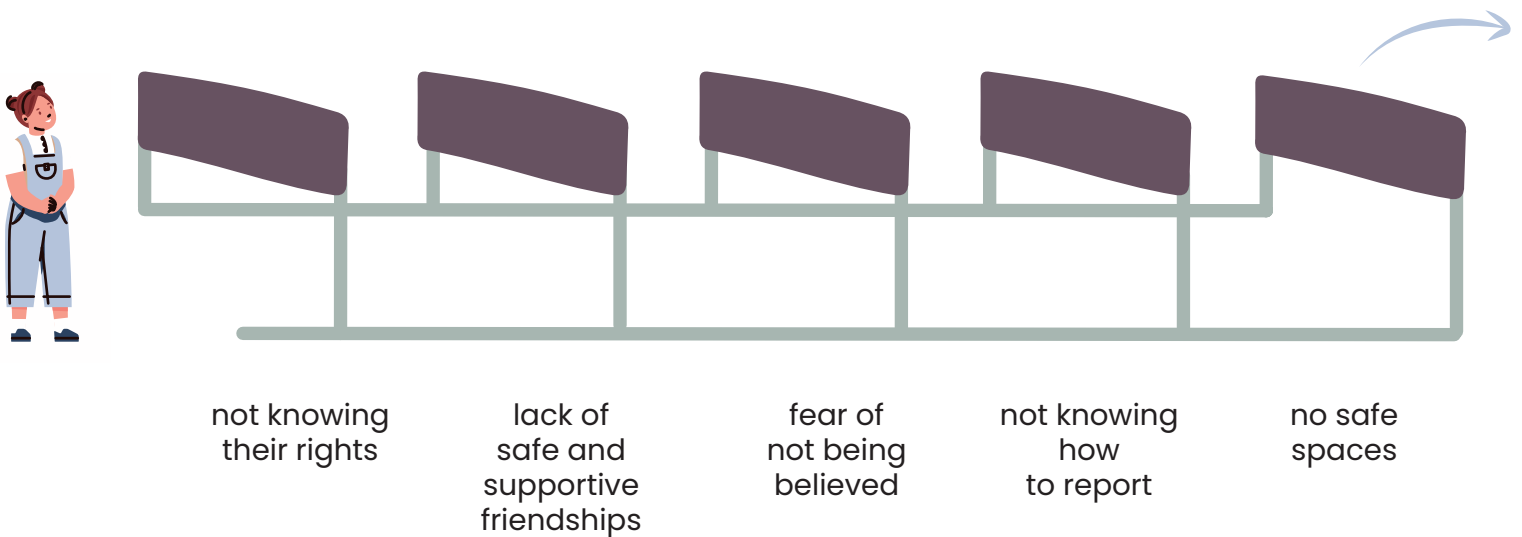
Our spaces include artwork, colours or decorations that feel welcoming and child-friendly.

We have environments that avoid harsh lighting, strong smells, or loud/unexpected noises that may distress children with trauma experiences.

Signage and information are displayed at child height and in plain, accessible language.

Barriers to children raising concerns

This visual represents some of the barriers children and young people may face when it comes to speaking up and raising concerns.



'I know me best.'

– Young Tasmanian Aboriginal person George.

Aboriginal children can face unique **additional** challenges when it comes to speaking up in organisations, on top of the barriers all children and young people might experience. This doesn't mean children who are not Aboriginal don't also face difficulties—it simply means each child's background and experiences shape the kinds of barriers they may encounter.



intergenerational
fear and mistrust of
institutions

racism and
discrimination

lack of
understanding of
cultural protocols

absence of cultural safety

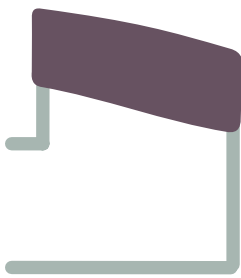
That's why it's important to consider the different groups of children and young people you work with, and what might make it harder for them to speak up—for example:

- LGBTIQ+ children
- Children from culturally and linguistically diverse (CALD) backgrounds
- Children with a disability
- Children unable to live at home.

Activity

Think about the barriers unique to your organisation and the children and young people you engage with. **Write down three other potential barriers** you think children may face when speaking up that your organisation needs to account for. This could look like:

- past negative experiences with authority figures
- no one in their home speaks English as a first language, making it harder to ask for help
- the complaints process is complicated or not easy to understand or find.



1

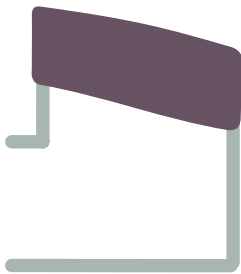
A potential hurdle to a child raising a concern in our organisation is...

.....

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2

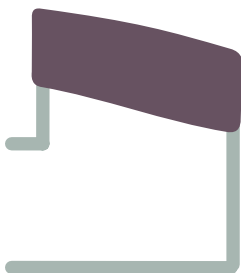
A potential hurdle to a child raising a concern in our organisation is...

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3

A potential hurdle to a child raising a concern in our organisation is...

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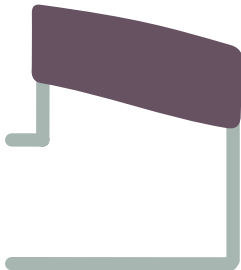
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Now you have your **three potential barriers**, think about what immediate steps you could take to reduce them. These steps need to be actionable and meaningful—not band aid solutions.

We've written an example below to give you some ideas.

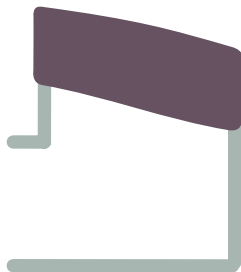


Example

We have a complaints form but it's at the front desk, so kids have to walk up and take a hard copy in front of other people.

An immediate step we can take:

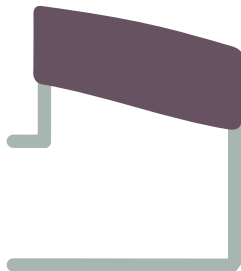
Put the complaints form in a few places, including more discrete areas, and also create an online form that you can access via a QR code.



1

Potential barrier:

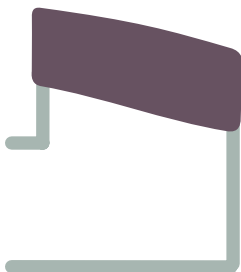
An immediate step we can take:



2

Potential barrier:

An immediate step we can take:



3

Potential barrier:

An immediate step we can take:

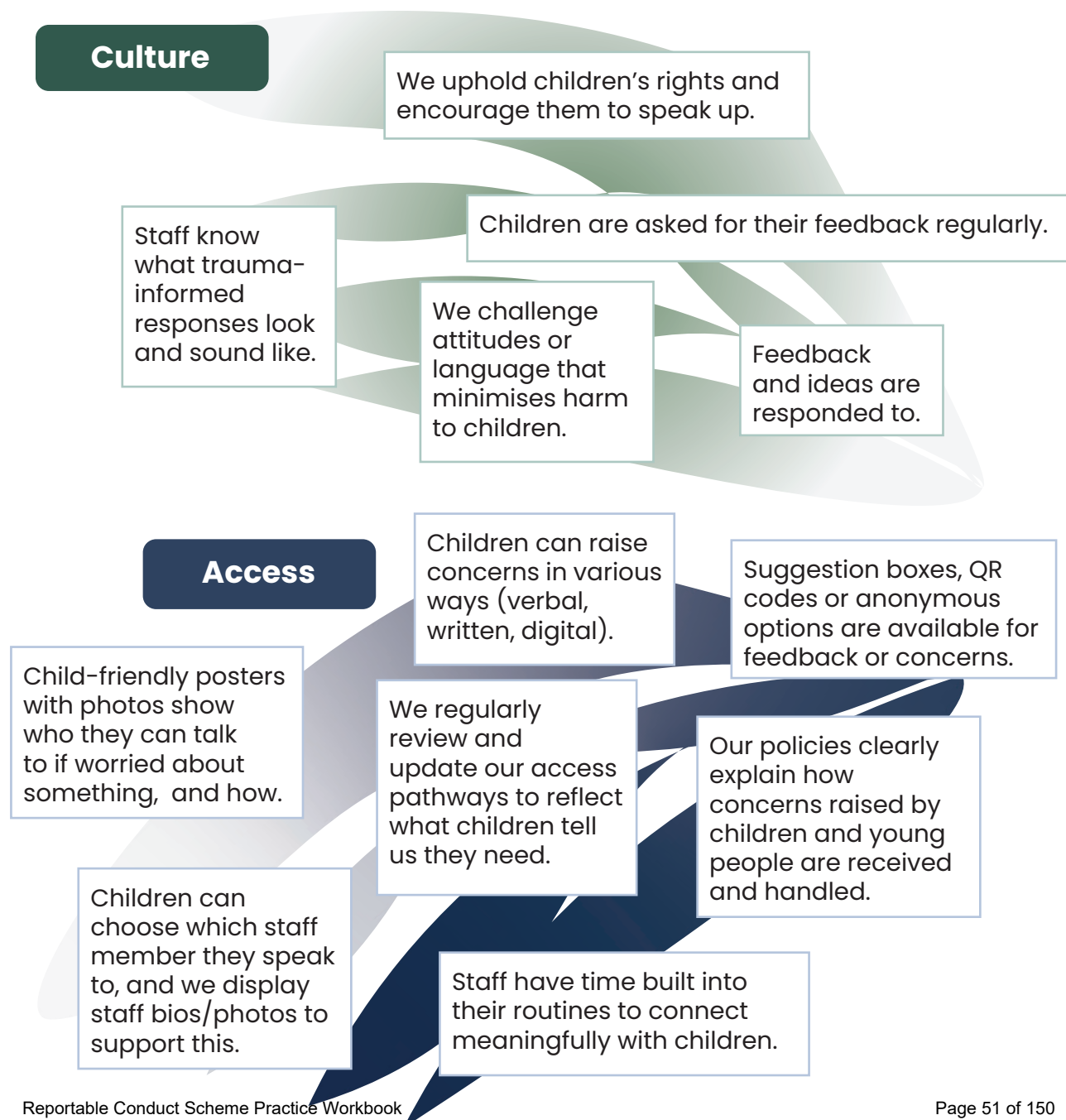
How does your organisation support children to raise concerns?

1. Take another look at these practical prompts.

Which ones does your organisation already have in place? Which would you like to implement next?

2. Use highlighters to track your progress.

Colour in the things you are doing now and the ones you want to do next in bright colours so you can 'see' your progress.



Education

Staff get clear guidance on legal and/or reporting obligations.

Children have shaped our safety processes.

We run age-appropriate education for children on safety.

Families/carers are told how we support child who disclose harm.

Staff get training on responding to a child's disclosure.

We tell children how we work to keep them safe in a way they can understand.

Trust

We have a policy that encourages staff to form warm, professional relationships while maintaining clear boundaries.

Families and carers are treated as partners in creating safe environments.

Staff know how to record any important information shared by a child.

We prioritise consistency in staffing so children are familiar with the adults around them.

Our organisation is vigilant to the needs of children who may be at greater risk or who seem disengaged.

Children are invited to participate in decisions that affect them, including safety planning or program design.

Space

We display posters or signs that tell children they have the right to feel safe and speak up.

We have clear rules about how to use online spaces.

We have environments that avoid harsh lighting, strong smells, or loud/unexpected noises that may distress children with trauma experiences.

We have a designated calm/quiet space that children or young people can use if overwhelmed.

Our spaces include artwork, colours or decorations that feel welcoming and child-friendly.

Signage and information are displayed at child height and in plain, accessible language.

Supporting children and young people to raise a concern

Common misunderstandings and what you should know

“ If no children have raised concerns, we must be doing fine. ”

Children and young people may not disclose harm because they're unsure who to talk to, don't feel believed, or fear getting into trouble.

Silence doesn't always mean safety.



“ We told kids to come to us if something's wrong—that's enough. ”



Telling isn't the same as showing.

Children need more than words. Safe cultures are built through everyday actions—like how adults respond to small concerns, how approachable they seem, and whether children feel heard when they speak up.

“ Disclosures and complaints are the main way we’ll know if harm is happening. ”

Many children never disclose harm directly at all. Instead, signs might show up in behaviour, shifts in mood, or withdrawal from activities. A proactive child-safe culture involves noticing changes and creating many ways for children to express when something feels wrong.



“ We’ve got one staff member kids love—that’s enough. ”

Child safety can’t rest on one person.

While having a trusted adult is great, the whole environment needs to feel safe and consistent. If safety depends on just one person, it becomes fragile—especially if that person is away, leaves, or is the subject of a concern.



“ Child safety is about what happens during incidents. ”

Responding well is important—but the goal is to prevent harm before it occurs. That means designing safe environments, educating staff, building respectful relationships, and making sure children feel seen, safe, and heard at all times—not just in moments of crisis.





Identifying and managing immediate risks

What will I learn?

By the end of this section, you'll understand:

-  what to consider when identifying and assessing immediate risks to children and young people
-  how to write down risks and outline clear and practical ways to reduce those risks
-  what a proportionate risk response means and looks like.

Activity



Scenarios

Work through two fictional scenarios to practise identifying, assessing, and planning risk mitigation strategies.

How long will it take?



Approximately 45–60 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying Reportable Conduct

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Identifying and managing immediate risks

WHAT is it?

It means taking time to assess and identify what risks there may be to children and young people after a concern about a worker's behaviour is raised, and taking appropriate and proportionate action to reduce those risks.

WHY does it matter?

If risks aren't addressed quickly, they often get worse. Children and young people may experience further harm or abuse that should have been prevented.

HOW does this impact me?

For leaders, you are responsible for ensuring the immediate and ongoing safety of children and young people by implementing proportionate risk mitigation measures.

For workers, this means if you are the subject of a reportable conduct allegation, you may be placed on alternate duties, receive extra supervision, or be stood down while the investigation takes place.

Proportionate risk mitigation simply means taking actions to reduce risk that are appropriate to the level of risk.

- **Not overreacting** to small risks.
- **Not underreacting** to serious risks.
- **Matching your response** to how likely the harm is and how serious it could be.

Five key things to know about Identifying and managing immediate risks

1

Always act on concerns about children and young people's immediate safety.

The safety of children and young people is the priority. Immediate action should be taken to reduce risks.

In emergencies, call 000.

2

Put risk mitigations in place that match the context.

Consider the seriousness of the concern, the child's vulnerability, the worker's role, and the setting to guide a *proportionate* response.

3

Risks and mitigation strategies aren't just about and individual worker.

Sometimes risks come from the environment, policies, or processes that created the situation. Managing risk can mean improving the physical space or updating rules.

4

Avoid assumptions—listen to the perspectives of children and young people.

Respect and incorporate the perspectives of children and young people, especially those from diverse cultural backgrounds, to better identify risks and support their safety.

5

Keep monitoring risks and adjusting actions.

What works now might not work tomorrow. Review your approach as the situation evolves or new information comes to light.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



1800 754 728



contact@oir.tas.gov.au

What to consider after a concern is received about a worker's behaviour towards a child or young person

In emergencies call 000



Severity of the allegation

- How serious is the concern or allegation?
- Consider the potential for harm to the child and whether the behaviour could be reportable conduct.



Worker's role and duties

- What responsibilities does the worker have?
- Are they in regular contact with children, and in what capacity?



Worker's access to children

- How often and under what circumstances does the worker interact with children?
- Consider both in-person and online interactions.



Physical and environmental factors

- Are there any environmental risks, such as unsupervised areas, broken CCTV, or unsafe spaces?
- Could these conditions contribute to risk?



Supervision arrangements

- Are children and workers adequately supervised?
- Could changes in supervision reduce risk?



Worker's past conduct

- Are there prior concerns, complaints, or patterns of behaviour that might influence risk?
- Even if there are no prior issues, maintain a cautious approach.



Vulnerability of the affected child or young person

- Consider age, developmental stage, trauma history, or other factors that may increase risk.
- Vulnerable children may require additional support or safeguards.



Other children or young people at risk

- Could other children be exposed to the same risk?
- Consider peers, or children in other organisations (e.g. the worker may also volunteer at a children's sporting club)



Reporting obligations

- Who do you need to notify or report to?
- Identify who needs to be notified and how, including regulatory bodies if required.

Once you understand the risks, take immediate steps to make the environment safer.

This could look like:

- fixing broken locks or lights
- improving line of sight (increasing staffing ratios or fixing CCTV)
- increasing supervision or changing rosters
- changing the worker's duties to limit or remove contact with children
- standing the worker down during the investigation.

It's important to make the reason behind risk management actions clear.

- Actions like changing duties or limiting contact with children and young people may be necessary to reduce risks, but it should be made clear to the worker that risk mitigation:
- **does not mean** the allegation is proven
- **does not mean** fault or a finding
- **does not affect** the outcome of the investigation.

Activity: Identifying and managing risks

Read through the two scenarios and think about what risks are present and how you might manage them. There are two tables to complete for each scenario:

- **Risk assessment table:** To identify what the risks are and how serious they might be.
- **Risk mitigation table:** To describe what actions you could take to reduce or manage those risks.

Scenario 1

Name: Jordan

Role: Youth support worker at a mental health clinic

Background: Regularly facilitates group and individual sessions with young people. Has unsupervised time both in-person and through online platforms. No prior concerns or incidents documented.

Incident: During a group session Jordan was running, a 15-year-old became visibly distressed and withdrew from the group. It was later raised that Jordan had made unwanted physical contact with the young person.

Risk context: The young person has a developmental delay and a known history of complex trauma. The centre's CCTV system has been non-operational for several weeks, and the incident occurred in an area without other staff present.

Scenario 1 Jordan: Immediate risk assessment table

Theme	Guiding questions	What's known and observed
Severity of allegation	How serious is the alleged behaviour? What harm has been described or observed? Could it be reportable conduct?	
Worker's role and duties	Does the worker have direct or indirect contact with children and young people?	

Theme	Guiding questions	What's known and observed
Worker's access to children	Where, when and how often is the worker around children and young people? Including online.	
Physical/ environmental factors	<p>Are there any issues such as:</p> <ul style="list-style-type: none"> • broken locks/ doors/windows • poor or broken lighting • gaps in CCTV coverage • supervision blind spots? 	
Supervision arrangements	Is the worker ever alone with children or always supervised?	
Past conduct	Have there been similar concerns raised previously with the worker? Any patterns?	
Vulnerability of affected child/ young person	Is the child/young person at greater risk due to age, disability, trauma history, or other factors?	
Other children or young people at risk	Could any children and young people be at risk now or in future, including outside your organisation?	
Reporting	<p>Have the appropriate reports been made?</p> <p>Tasmania Police, Office of the Independent Regulator, Strong Families Safe Kids Advice and Referral Line?</p>	

Scenario 1 Jordan: Immediate risk mitigation action plan

Risk identified	Mitigation action to reduce risk	Who?	When?	Review date
<i>e.g. poor lighting near bathrooms</i>	<i>Arrange urgent maintenance and increase supervision</i>	<i>Facilities/ Manager</i>	<i>Within 12 hours</i>	<i>Next day</i>
<i>e.g. worker still rostered to supervise children and young people alone</i>	<i>Temporarily re-assign to non-contact administrative duties</i>	<i>Supervisor</i>	<i>Within 24 hours (before their next shift)</i>	<i>In 3 days</i>

Scenario 2

Name: Quinn

Role: Staff member at a school holiday program

Background: Works directly with children, usually alongside other staff but occasionally supervises children alone. No prior concerns or complaints.

Incident: During a school holiday program, Quinn was observed raising their voice to redirect a child who was running indoors. The child appeared momentarily startled but showed no signs of distress or harm.

Risk context: The child is confident and has no identified additional support needs. The program environment is well-lit, secure, and closely monitored, with no known safety risks.

Scenario 2 Quinn: Immediate risk assessment table

Theme	Guiding questions	What's known and observed
Severity of allegation	How serious is the alleged behaviour? What harm has been described or observed? Could it be reportable conduct?	
Worker's role and duties	Does the worker have direct or indirect contact with children and young people?	
Worker's access to children	Where, when and how often is the worker around children and young people? Including online.	
Physical environmental factors	Are there any issues such as: <ul style="list-style-type: none">• broken locks/ doors/ windows• poor or broken lighting• gaps in CCTV coverage• supervision blind spots?	

Theme	Guiding questions	What's known and observed
Supervision arrangements	Is the worker ever alone with children or always supervised?	
Past conduct	Have there been similar concerns raised previously with the worker? Any patterns?	
Vulnerability of affected child/young person	Is the child/young person at greater risk due to age, disability, trauma history, or other factors?	
Other children or young people at risk	Could any children and young people be at risk now or in future, including outside your organisation?	
Reporting	<p>Have the appropriate reports been made?</p> <p>Tasmania Police, Office of the Independent Regulator, Strong Families Safe Kids Advice and Referral Line?</p>	

Scenario 2 Quinn: Immediate risk mitigation action plan

Risk identified	Mitigation action to reduce risk	Who?	When?	Review date
<i>e.g. poor lighting near bathrooms</i>	<i>Arrange urgent maintenance and increase supervision</i>	<i>Facilities/ Manager</i>	<i>Within 12 hours</i>	<i>Next day</i>
<i>e.g. worker still rostered to supervise children and young people alone</i>	<i>Temporarily re-assign to non-contact administrative duties</i>	<i>Supervisor</i>	<i>Within 24 hours (before their next shift)</i>	<i>In 3 days</i>

Let's check your responses

The points below highlight things you might have noticed or thought about when completing the risk assessment and mitigation tables for each scenario.

These scenarios aren't about getting the "right" answer. They're an opportunity to:

- think critically
- keep children and young people at the centre of your decisions
- respond in a way that fits the level of risk.

Use these examples to reflect on your own approach—where it aligns, where it differs, and what other important factors you might consider

Scenario 1

In your risk assessment, you might have identified:

- the allegation is serious and may be reportable conduct
- the child is vulnerable—developmental delays and past trauma may increase risk and support needs
- Jordan has frequent, unsupervised access to young people, in person and online
- environmental risks—broken CCTV, unsupervised areas, and low staff visibility at the time
- other children could be at risk due to Jordan's wide contact across sessions
- no prior concerns about Jordan, but caution is still needed.

In your risk mitigation plan, you might have included:

- adjusting Jordan's duties or temporarily moving them to non-child-facing roles
- reporting obligations, including notifying the OIR
- ensuring Jordan is not rostered alone and a second staff member is present
- fixing environmental issues, like urgent CCTV repair and reviewing supervision coverage
- monitoring online communication—review past interactions and restrict one-on-one messaging temporarily
- supporting the child, e.g. providing a trusted adult and adapting communication as needed.

Scenario 2

In your risk assessment, you might have identified:

- the behaviour was low risk—the child was startled but not harmed or distressed
- Jamie works in a low-risk environment with good supervision and staff presence
- the child has no known vulnerabilities
- no prior concerns or complaints about Jamie
- risk is low, but the behaviour should be addressed to prevent future issues.

In your risk mitigation plan, you might have included:

- giving Jamie feedback or having a reflective discussion
- temporary supervision adjustments if needed for transparency
- team reminders about positive behaviour guidance and ways to redirect children.

Immediate risk assessment and mitigation

Common misunderstandings and what you should know

“ You *always* have to stand a worker down after an allegation. ”

Standing someone down is one option—but not the only one. In some cases, it may be necessary to remove a person from duties to ensure safety. But in others, risk can be managed through changes to supervision, limiting contact, or adjusting duties.



“ There’s not much we can do until someone tells us exactly what happened. ”



You don’t need full details or proof to begin assessing and managing risk. A reasonable suspicion is enough to trigger a proportionate response, such as closer supervision or environmental changes.

“ We’ve never had issues with this worker before, so it’s probably fine. ”

Even if someone has no prior concerns, any new allegation must be taken seriously. Past behaviour is relevant—but does not entirely determine current risk. A proportionate response still needs to be considered based on the facts at hand.



“ If the child seems calm, there’s no immediate risk. ”

A calm appearance doesn’t mean the situation is safe or low-risk. Risk decisions should consider the child’s needs, vulnerabilities, and the nature of the alleged behaviour—not just their visible reaction.



“ If we move the child who made the complaint, that should be good enough. ”

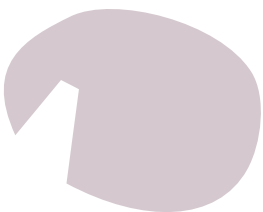
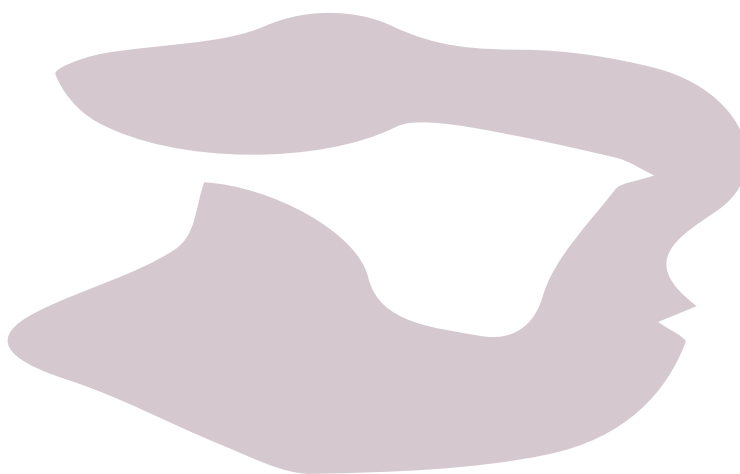
Other children may still be at risk, and the behaviour that caused the concern could continue. Effective risk management considers all children, including those outside of your organisation that might be at risk—not just the child who raised the concern.



“ We only need to think about risks involving the worker. ”

Things like poor supervision, unsafe physical environments, organisational culture, or the child’s particular vulnerabilities also affect risk. Addressing these broader issues is just as important as responding to an individual’s behaviour.





Identifying and managing conflicts of interest

What will I learn?

By the end of this section, you'll understand:



the different conflict of interest types



how well and poorly handled conflicts of interest can impact on the integrity of an investigation

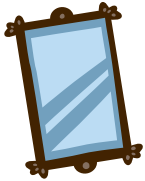


how to identify and consider whether conflicts of interest are present



how to practically manage different conflicts of interest

Activity



Reflection scenarios

Work through two fictional scenarios and reflect on how conflicts of interest were identified and managed.

How long will it take?



Approximately 20–40 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying Reportable Conduct

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Identifying and managing conflicts of interest

WHAT is it?

It means thinking about whether an investigator or decision maker has any personal connections or interests that could, or could be seen to, affect how they carry out the investigation or decide on the outcomes.

Managing conflicts of interest means taking steps to reduce or remove these risks, so the process stays fair and impartial. It also means being open and transparent about how you've done that.

WHY does it matter?

Unmanaged conflicts of interest can damage the safety, fairness and trust in the investigation. If someone involved in the investigation has a personal connection or other interest, it can influence decisions—or make it seem like decisions aren't fair or safe for the child or young person.

HOW does this impact me?

For leaders, you are responsible for ensuring investigations are impartial, transparent, and free from bias by identifying and managing any conflicts of interest.

For workers, this means you are entitled to a process where your conduct is considered fairly, without influence from personal connections or competing interests.

Five key things to know about identifying and managing conflicts of interest

1

Conflicts of interest should never get in the way of keeping a child or young person safe or making the right decisions.

The child or young person's safety and needs must come first.

2

It's not just about actual conflicts of interest—perceptions matter too.

Investigations must be trusted by children, families, workers, and the community.

3

A conflict of interest isn't an automatic wrongdoing—but it does need action.

People don't have to do something wrong for a conflict of interest to exist. It could be a friendship, reporting line, past involvement, or something else.

4

Power imbalances can increase conflict of interest risks.

If the person being investigated is in a senior role or has strong relationships in the organisation, that can put pressure on the process. In these cases, extra care is needed to stay impartial.

5

Everyone has a role in managing conflicts of interest.

Leaders, investigators, and all staff must be alert to conflicts of interest—and raise concerns if something doesn't feel right.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



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Activity: Identifying and managing conflicts of interest

Read the following scenarios and then consider the reflection questions. Think about what was done well, and not so well, to manage conflicts of interest, and how this situation might look in your own organisation.

Use the following categories to clarify:

Conflict type	Description
Actual	Your private interests currently and directly influence your professional role.
Perceived	It may appear to others that your private interests could influence your role.
Potential	Your private interests could influence your role in the future.

Scenario 1—Eli

Eli is the Program Manager at a youth organisation. A reportable conduct allegation is made about a casual worker, Sam, who volunteers in the same program Eli oversees. Eli is asked to lead the investigation.

Eli doesn't know Sam personally, but they work in the same team and sometimes attend the same team events.

meaning it could appear to others that Eli's personal interests could influence them in the investigation

What Eli does

Eli reflects and realises this could be a **perceived conflict of interest**.

They tell their director about the concern and they take the following steps:

- Eli **formally records** the perceived conflict and when it was identified
- the organisation **reassigns the investigation** to a senior leader from another part of the organisation who has no connection to Sam
- Eli steps away from the process completely
- those involved are told that steps were taken to make sure the investigation is fair and unbiased in response to a perceived conflict of interest.

Scenario 2 — Remi

Remi is a senior leader in a family-owned youth support service. A report is made about a worker, Cameron, who is alleged to have used inappropriate language with a child. Cameron is a friend of Remi's sibling, and their families spend time together socially.

What Remi does

Remi decides to investigate the report themselves, thinking they can stay professional and objective. Remi completes the investigation and finds the report is unsubstantiated.

Reflect on both scenarios

If you were in Eli or Remi's position, what would you have done the same—and what would you have done differently?

Imagine you are:

- the worker who is the subject of the allegation
- the child or young person involved
- the family or caregivers of that child or young person
- another child or young person in the organisation
- a colleague watching the process unfold.

For each of the scenarios, ask yourself:

- Would I feel confident that the investigation was **fair**?
- Would I **trust** the outcome of the process?
- Would I feel **safe and supported** if I needed to speak up in the future?

Thinking about your organisation

- Does your organisation make it easy to **identify and report** conflicts of interest?
- What **supports or guidance** are in place to help people know when they should step back?
- How is **transparency** built into your investigations and decision-making processes?
- Would a situation like Remi's be **picked up and managed** in your organisation? Why or why not?

Five steps to identify and manage conflicts of interest

Use this tool to reflect on whether there may be a conflict of interest before undertaking or assigning an investigation.

Step 1: Identify relationships or interests

Ask yourself or the proposed investigator:

YES

NO

Do I have a **personal relationship** (e.g. friend, relative, partner) with anyone involved?

☐☐

Have I worked **closely or directly** with anyone involved in the matter?

☐☐

Have I **publicly supported or criticised** any party involved?

☐☐

Will I be required to make decisions about people I **supervise or report to**?

☐☐

Do I have any **personal beliefs, experiences or past conflicts** that might affect my impartiality in this matter?

☐☐

Could I **benefit personally or professionally** from the outcome of this investigation?

☐☐

Am I in a position where my actions could be **seen to favour** a particular person or group?

☐☐

Step 2: Consider how it might be perceived

Could someone **outside the organisation** reasonably think I might not be impartial in this matter?

☐☐

Would others **question my ability to remain neutral** if they knew about my relationship or connection to the situation?

☐☐

Could my involvement in this investigation **undermine confidence** in the process or outcome?

☐☐

Step 3: Consider future implications

Is there a chance that **future interactions** or responsibilities could create a conflict (e.g. future supervision or decision-making roles)?

☐☐

Might my decisions in this investigation **influence future opportunities** for me or others?

☐☐

Step 4: Make a judgement

If you answered **YES** to any of the above, you may have a conflict of interest.

Step 5: Manage the conflict of interest

If you find a conflict of interest—whether it is **actual, perceived or potential**—you need to take steps to keep the investigation **fair, unbiased, and trustworthy**.

Some of these steps could include:

Change who does the investigation

- Give the investigation to someone else who doesn't have any personal or work connection to the people involved.
- Share the work—one person could collect the facts, and another could decide the outcome.

Add oversight or outside review

- Ask someone neutral (e.g. from another team or office) to look over the findings before a final decision is made.
- Bring in an outside investigator if the case is complex, high-risk, or you don't have someone impartial or qualified inside your organisation.

Write things down and be open

- Write down what the conflict is, who noticed it, when, and what you did about it.
- Keep a clear record of who handled the investigation and how decisions were made.

Be clear with communication

- Where suitable, tell the people involved what you've done to make sure the investigation is fair.
- Don't keep it a secret—being open builds trust.

Put long-term protections in place

- Create a simple form or checklist for people to declare any conflicts before they start investigating.
- Add conflict of interest reminders to your investigation policies and training.

Identifying and managing conflicts of interest

Common misunderstandings and what you should know

“Senior leaders can’t be conflicted—they know how to stay neutral.”

No one is immune from conflicts of interest.

In fact, power or seniority can increase risks, especially if others feel pressured not to speak up or protect reputations.



“We declared the conflict of interest—that’s enough.”



Conflicts must also be actively managed, documented, and monitored throughout the investigation to prevent bias and ensure transparency.

Declaring a conflict of interest is only the first step in managing it.

“ We only need to worry about actual conflicts of interest, not how it might look. ”

Perceived or potential conflicts of interest can be just as harmful as real ones.

If children, families, or staff think the investigation is biased, it undermines confidence and the process's legitimacy.



“ Having a conflict of interest means someone's done something wrong. ”

Conflicts of interest are common and don't imply wrongdoing.

The key is to respond openly and professionally to manage any conflicts of interest, demonstrating integrity and commitment to fairness.



“ Managing conflicts of interest slows everything down. ”

Taking time to address conflicts of interest properly prevents bigger problems later.

It avoids flawed decisions, appeals, or damage to reputations, ensuring the investigation is thorough, fair, and focused on child safety.





Child-centred practices during investigations

What will I learn?

By the end of this section, you'll understand:

-  what it looks like when an investigation is centred on children and young people
-  how your current investigation practices may already reflect a child-centred approach
-  practical steps to strengthen a culture of centring children and young people during investigations.

Activity



Say it or swap it: Identify what a child-centred organisation does and doesn't sound like during an investigation.



Practice reflection: Reflect on an investigation in your organisation and how children and young people were centred throughout.

How long will it take?



Approximately 45–60 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying Reportable Conduct
- Supporting children and young people to raise concerns
- Identifying and managing immediate risks

Involving the child or young person in the investigation should not cause or add to their trauma. Plan for ways to keep them safe during the investigation.

Child-centred practices during investigations

WHAT is it?

Centring children and young people during investigations means making sure the safety, rights, and wellbeing of children and young people are prioritised throughout the investigation.

This includes taking reasonable steps to adapt the process so it is accessible, supportive, and trauma-informed, and being intentional about how their needs and perspectives are taken into account.

It does not mean overlooking the rights of others—it means making sure children and young people are given the focus and protections they need, while still ensuring a fair process for everyone involved.

WHY does it matter?

Children and young people are especially vulnerable during investigations. Without careful planning, they can be overlooked, excluded, or re-traumatised by processes that are normally designed with adults in mind.

HOW does this impact me?

You need to ensure investigations are designed and carried out in ways that prioritise the safety and wellbeing of children and young people, and that any involvement is carefully planned and considered.

Five key things to know about Child-centred practices during investigations

1

Involving children takes planning and coordination—not pressure.

Think carefully about when and how to involve the child. It's about meeting their needs—not rushing to get information.

2

Clear, age-appropriate communication is essential.

Children should understand what's happening, what comes next, and who they can talk to if they're unsure or worried.

3

Respect children's culture, identity and language.

Investigations must consider the child's background—providing cultural or language support where needed to ensure they feel safe and understood.

4

Families and carers must be kept in the loop.

Keep them informed and supported throughout. Clear, accessible communication helps them stay connected and reassured—not left in the dark.

5

Bring in specialist support when needed.

If your organisation lacks expertise—such as trauma-informed interviewing or child-safe investigation experience—engage a specialist service.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



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Activity: Would you hear this during a child-centred investigation?

In this activity, you'll explore how everyday language can reflect—or undermine—a child-centred approach during investigations.

Read each of the statements below and decide whether the phrase centres the child or young person—would you say it or swap it? If you would swap it, rewrite it in a way that better reflects a child-centred approach.

The first one has been completed as an example.

Phrase	Say or swap?	Swap to?
<i>"We need to be careful how this looks for the organisation."</i>	Swap	<i>"We need to focus on the child's safety and wellbeing first"</i>
<i>"Let's not involve the child or young person unless we absolutely have to."</i>		
<i>"We'll plan carefully and use safe, child-friendly approaches to engage the child and young person meaningfully."</i>		
<i>"It's best to wait until we know more before involving the child or young person."</i>		
<i>"This could damage the staff member's reputation if we're not careful."</i>		
<i>"We will act fairly and respectfully—but we must take allegations seriously and prioritise the safety of children and young people."</i>		

Phrase	Say or swap?	Swap to?
<i>"Children and young people often exaggerate, get things wrong, or misunderstand situations."</i>		
<i>"This is a private matter, we'll deal with it quietly."</i>		
<i>"We'll take the time to do this properly, with care and sensitivity to the child or young person's experience."</i>		
<i>"We can't risk upsetting the child or young person by bringing this up again."</i>		
<i>"We've known the staff member for years—it doesn't sound like something they'd do."</i>		
<i>"Let's focus on learning and improving how we respond—not just ticking the boxes."</i>		
<i>"Let's not contact the family/parents until we've done the investigation, we don't want them to worry."</i>		

Below are some phrases you might have swapped to:

Phrase	Say or swap?	Swap to?
<i>"We need to be careful how this looks for the organisation."</i>	Swap	<i>"We need to focus on the child's safety and wellbeing first"</i>
<i>"Let's not involve the child or young person unless we absolutely have to."</i>	Swap	<i>"We will involve the child or young person in ways that are safe, supportive, and meaningful."</i>
<i>"We'll plan carefully and use safe, child-friendly approaches to engage the child and young person meaningfully."</i>	Say	
<i>"It's best to wait until we know more before involving the child or young person."</i>	Swap	<i>"We'll involve the child appropriately now, with support and care, while continuing to gather information."</i>
<i>"This could damage the staff member's reputation if we're not careful."</i>	Swap	<i>"We need to ensure we act fairly, but our priority is protecting the child or young person."</i>
<i>"We will act fairly and respectfully—but we must take allegations seriously and prioritise the safety of children and young people."</i>	Say	
<i>"Children and young people often exaggerate, get things wrong, or misunderstand situations."</i>	Swap	<i>"We will listen carefully to children and young people, recognising their perspective and validating their experience."</i>
<i>"This is a private matter, we'll deal with it quietly."</i>	Swap	<i>"We will handle information responsibly, but the child's safety and access to support remain our priority."</i>

Phrase	Say or swap?	Swap to?
<i>"We'll take the time to do this properly, with care and sensitivity to the child or young person's experience."</i>	Say	
<i>"We can't risk upsetting the child or young person by bringing this up again."</i>	Swap	<i>"We will approach the child in a safe and supportive way, understanding that some conversations may be difficult but are necessary."</i>
<i>"We've known the staff member for years—it doesn't sound like something they'd do."</i>	Swap	<i>"We will focus on the evidence and the child's experience, not assumptions about the staff member."</i>
<i>"Let's focus on learning and improving how we respond—not just ticking the boxes."</i>	Say	
<i>"Let's not contact the family/parents until we've done the investigation, we don't want them to worry."</i>	Swap	<i>"We will keep families informed and supported throughout, while prioritising the child's safety and needs."</i>

Reflection Activity: Applying child-centred practice in investigations

Think back to an investigation undertaken in your organisation. If your organisation hasn't yet conducted an investigation, consider your current policies, procedures, and team readiness against the statements below.

We keep safety and wellbeing front and centre

YES**NO**

We check in regularly on how the child or young person is doing throughout the investigation.

☐☐

We consider emotional, psychological, cultural, and physical safety.

☐☐

We update support and risk management plans whenever new needs or risks emerge.

☐☐

We respect the child or young person's culture, identity, and connections

We actively learn about the child or young person's culture, language, identity, and family context.

☐☐

We involve culturally safe supports—like interpreters or Aboriginal liaison staff—when appropriate.

☐☐

Where possible, we make sure the child or young person has a say in who they speak to and how, and make sure they can have a support person present.

☐☐

We plan the child or young person's involvement carefully

We take time to plan how, when, and why we involve the child or young person.

☐☐

We choose timing, setting, and approach based on what's best for the child or young person.

☐☐

We avoid repeating interviews and only engage when there's a clear purpose.

☐☐

A trained, independent person interviews the child or young person about the investigation

The person who interviews the children and young people about investigations is skilled in trauma-informed, child-safe communication.

☐☐

YES

NO

They have no involvement in the incident or close connection to others involved.

☐
☐

They're confident working with children and young people from diverse backgrounds and communication needs.

☐
☐

We use child-friendly communication

We match our language and methods to the child or young person's age, development, and preferences.

☐
☐

We explain clearly what's happening and why.

☐
☐

We use creative tools (like play, drawings, or tech) if it helps the child or young person express themselves.

☐
☐

We always respect the child or young person's right to say no or not take part.

☐
☐

We take the child or young person's views seriously

We shape actions and safety planning based on what the child or young person shares—including non-verbally.

☐
☐

We consider their perspective seriously, even if final decisions don't fully reflect it.

☐
☐

We uphold the child or young person's dignity and independence in every decision made.

☐
☐

We involve families and carers appropriately

We keep families and carers informed and supported throughout, where safe and appropriate.

☐
☐

We clearly explain the process and what to expect.

☐
☐

We maintain open communication, including regular check-ins and space to ask questions or raise concerns.

☐
☐

We learn and improve from every incident

We use feedback from the child or young person, family, and staff to improve future investigations.

☐
☐

We reflect on what worked and share learnings across the organisation.

☐
☐

Centring children and young people during investigations

Common misunderstandings and what you should know

“ A child-centred investigation means we automatically do everything the child wants. ”

No—being child-centred means the process respects and supports the child’s experience, and their safety and dignity guide the investigation.



“ It’s best to talk to the child as soon as possible, even if we haven’t planned it. ”



Rushing to interview a child can cause distress and confusion. Planning and coordinating how best to speak with the child or young person is critical for their wellbeing.

“ Involving the child more means the investigation will take longer and be harder. ”

While child involvement needs planning, it supports more accurate, respectful outcomes and can reduce delays caused by misunderstandings or complaints later.



“ Keeping the child or young person informed means telling them everything in detail. ”

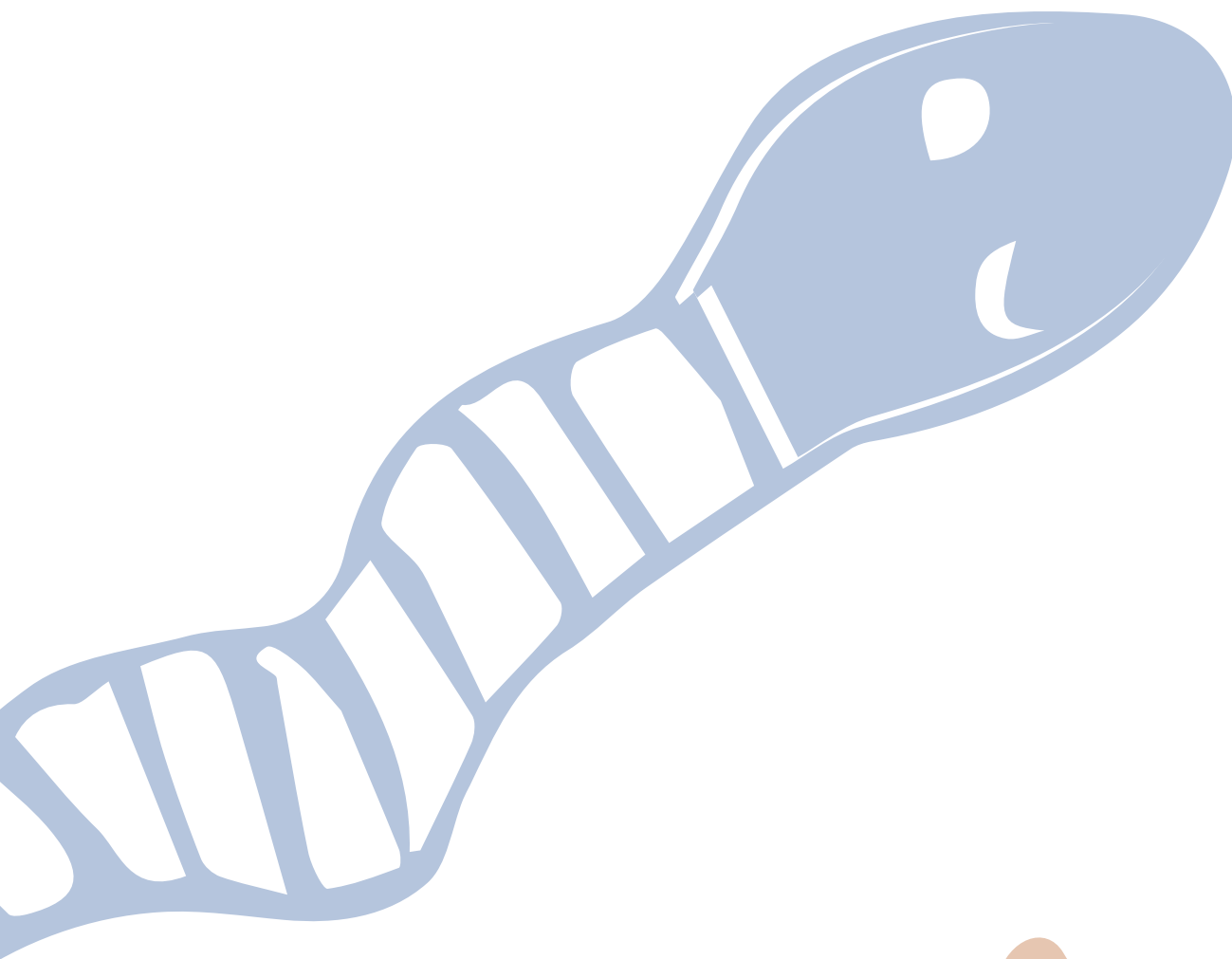
Information should be shared in a way that's age-appropriate and sensitive to the child's capacity to understand. Overloading with details can risk further trauma.



“ We need to stay neutral, so we can't offer the child or young person support during the investigation. ”

Being neutral during fact-finding doesn't mean being emotionally detached or absent. A child-centred investigation makes sure the child feels safe and supported at every stage, with trusted support people involved as needed.





Upholding procedural fairness

What will I learn?

By the end of this section, you'll understand:

-  what procedural fairness is
-  why procedural fairness is important in reportable conduct investigations
-  how procedural fairness principles apply in reportable conduct investigations.

Activity



Procedural Fairness check

Review prompts to decide if they are procedurally fair and identify the related principles of procedural fairness.

How long will it take?



Approximately 30–45 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying Reportable Conduct
- Identifying and managing immediate risks
- Identifying and managing conflicts of interest

Upholding procedural fairness

WHAT is it?

Procedural fairness is about ensuring the process for deciding whether alleged reportable conduct occurred is fair. It means the person making the decision is free from bias, the investigation is based on evidence, and the worker has enough time, information, and opportunity to respond to the allegations.

WHY does it matter?

By upholding procedural fairness, you increase the likelihood of the right outcome being reached, and the decision being fair. Without procedural fairness, decisions may be inaccurate and could harm both workers and children.

HOW does this impact me?

If you are a leader, you are responsible for making sure procedural fairness is built into how investigations are handled.

If you are a worker, procedural fairness supports a balanced and reasonable process when decisions are made about your behaviour.

Five things you need to know about upholding procedural fairness

1

Procedurally fair investigations are impartial, unbiased, and transparent.

Decisions should be based on all relevant information, assessed without prejudice, and clearly communicated.

2

Procedural fairness means the process to come to the decision is impartial not necessarily that the outcome is favourable.

Procedural fairness focuses on how decisions are made, rather than guaranteeing a particular result. It ensures that everyone has a fair opportunity to provide information, respond to allegations, and be heard.

3

Balancing risks with procedural fairness is essential.

Before communicating allegations, it's important to think carefully about the risks to everyone involved, particularly children and young people, and the investigation itself.

4

Clear and respectful communication, balanced with maintaining confidentiality, supports procedural fairness.

Keeping everyone informed in an appropriate and timely manner helps maintain transparency and respect.

5

Procedural fairness builds trust and confidence in investigations.

When people believe the process is fair, they are more likely to accept the outcomes.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



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10 key principles of procedural fairness

These principles are some of the core ways you can uphold procedural fairness during investigations in your organisation.



Risk assessment

Assessing risks carefully before informing the worker to ensure safety and integrity of the investigation.



Clear communication

Informing the worker in a clear and timely way.



Opportunity to respond

Providing an opportunity for the worker to respond to the allegations.



Support

Allowing the worker to have a support person during interviews, with appropriate limitations.



Neutrality

Maintaining neutrality and avoiding assumptions about guilt before the investigation concludes.



Confidentiality and privacy

Protecting the confidentiality of all information related to the investigation.



Respectful communication

Communicating respectfully and avoiding language that intimidates or threatens.



Fair evidence assessment

Considering all relevant evidence fairly, not focusing only on evidence supporting one side.



Transparency

Keeping the worker informed about the investigation's progress and next steps.



Emotional wellbeing

Recognising the emotional impact on the worker and providing access to support.

Activity: Procedural Fairness check: Identify the principles

For this activity, determine whether the prompts in the table below are procedurally fair or not, and which of the 10 key principle/s it relates to.

The first one has been completed as an example.

Prompt	Fair or not fair?	Principle/s
Saying to the worker: <i>"We heard bad things about you and need to ask questions."</i>	Not fair	Respectful Communication
Immediately telling the worker about the allegation without checking for any risks first.		
Considering all relevant evidence and giving the worker a chance to respond to concerns.		
Writing a letter that informs the worker respectfully about the allegation and their rights.		
Saying to the worker: <i>"You are probably guilty because of what we heard."</i>		
Explaining to the worker that an interview will be arranged and they will be kept updated.		
Threatening the worker: <i>"If you tell anyone about this, we will ruin your reputation."</i>		
Informing the worker: <i>"You are the subject of an allegation of sexual misconduct that happened on 15 June 2023."</i>		
Only looking at evidence that supports the allegation and ignoring evidence the worker provided.		
Writing a letter to the worker that accuses them and assumes guilt.		

Prompt	Fair or not fair?	Principle/s
Allowing the worker to prepare a written response and have a support person (who is not a witness) during their interview.		
Not providing the worker with any updates until the very end of the investigation.		
Explaining to the worker: <i>"No decision has been made about whether the conduct occurred."</i>		
Telling the worker: <i>"You must come to the interview alone with no support person."</i>		
Assessing risks carefully before informing the worker about the allegation.		
Asking the worker to keep all investigation information confidential and explaining consequences of breaches.		
Acknowledging with the worker that the investigation is stressful and providing contact details for support services.		

Let's check your responses

Below are the suggested answers for each prompt in the activity.

Prompt	Fair or not fair?	Principle/s
Saying to the worker: <i>"We heard bad things about you and need to ask questions."</i>	Not fair	Respectful Communication
Immediately telling the worker about the allegation without checking for any risks first.	Not fair	Risk Assessment
Considering all relevant evidence and giving the worker a chance to respond to concerns.	Fair	Fair Evidence Assessment / Opportunity to Respond
Writing a letter that informs the worker respectfully about the allegation and their rights.	Fair	Respectful Communication / Clear Communication
Saying to the worker: <i>"You are probably guilty because of what we heard."</i>	Not fair	Neutrality
Explaining to the worker that an interview will be arranged and they will be kept updated.	Fair	Transparency
Threatening the worker: <i>"If you tell anyone about this, we will ruin your reputation."</i>	Not fair	Respectful Communication / Confidentiality
Informing the worker: <i>"You are the subject of an allegation of sexual misconduct that happened on 15 June 2023."</i>	Fair	Clear Communication
Only looking at evidence that supports the allegation and ignoring evidence the worker provided.	Not fair	Fair Evidence Assessment
Writing a letter to the worker that accuses them and assumes guilt.	Not fair	Neutrality / Respectful Communication

Prompt	Fair or not fair?	Principle/s
Allowing the worker to prepare a written response and have a support person (who is not a witness) during their interview.	Fair	Opportunity to Respond / Support
Not providing the worker with any updates until the very end of the investigation.	Not fair	Transparency
Explaining to the worker: <i>"No decision has been made about whether the conduct occurred."</i>	Fair	Neutrality
Telling the worker: <i>"You must come to the interview alone with no support person."</i>	Not fair	Support
Assessing risks carefully before informing the worker about the allegation.	Fair	Risk Assessment
Asking the worker to keep all investigation information confidential and explaining consequences of breaches.	Fair	Confidentiality
Acknowledging with the worker that the investigation is stressful and providing contact details for support services.	Fair	Emotional Wellbeing / Support

Upholding Procedural Fairness

Common misunderstandings and what you should know

“Procedural fairness means telling the worker about the allegations straight away.”

Sometimes, informing the worker immediately could put children, young people, or evidence at risk. It's important to balance fairness with safety and investigation integrity.



“Procedural fairness means giving the worker the final say in the outcome.”



Procedural fairness ensures the worker can respond and be heard, but decisions are made based on all evidence, not any one person's version of events.

“Procedural fairness delays investigations and lets people avoid accountability.”

Fair processes help make investigations thorough and trusted, ensuring decisions are accurate and defensible—not causing unnecessary delays.



“Procedural fairness means sharing all investigation details with everyone involved.”

Information is shared carefully to protect privacy and safety, and only relevant details are communicated to the right people at the right time.



Weighing evidence and determining outcomes

What will I learn?

By the end of this section, you'll understand:

-  the difference between strong, moderate, weak, and irrelevant evidence
-  what the balance of probabilities means in practice
-  how to use evidence to decide investigation outcomes
-  the various possible outcomes in a reportable conduct investigation.

Activity



Spot the weak and irrelevant evidence

Learn what makes evidence strong and relevant to an investigation.



Determining the outcome

Practise weighing evidence to decide on appropriate investigation outcomes.

How long will it take?



Approximately 30–45 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying reportable conduct
- Supporting children and young people to raise concerns.

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Weighing evidence and determining outcomes

WHAT is it?

Weighing evidence means looking at all the relevant information you have about the reportable conduct allegation and carefully deciding how strong or reliable each piece is before making a judgment or decision.

Determining outcomes means using that evidence to decide if it's more likely than not the reportable conduct happened (substantiated), did not happen (not reportable conduct or false allegation), or cannot be determined either way (unsubstantiated).

WHY does it matter?

The outcome of a reportable conduct investigation must be based on evidence. That evidence should only be relied on if it is relevant and reliable.

HOW does this impact me?

If you are a **leader**, this means investigations are thorough, balanced and based on relevant and reliable evidence.

If you are a **worker**, this means decisions about your behaviour are based on relevant evidence and considered fairly.

Five key things to know about weighing evidence and determining outcomes

1

Reportable conduct findings are decided on the balance of probabilities.

This means the decision is based on whether it is more likely than not that the alleged conduct happened.

2

The seriousness of the allegation affects the strength of evidence required.

For more serious allegations, even though the balance of probabilities still applies, stronger and clearer evidence is necessary to make a finding.

3

Decisions must be fair, logical, and evidence-based.

Outcomes should result from a thorough, unbiased assessment of all available information, considering the credibility and relevance of the evidence.

4

All evidence must be considered in context.

Evidence cannot be understood in isolation. The timing, circumstances, motives, and potential biases around it all affect its meaning and reliability.

5

Clearly link evidence to outcomes in your report.

Especially when multiple reportable conduct allegations are involved, it is critical to specify which evidence supports each conclusion to maintain transparency and clarity.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



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Let's talk theory.

The 'balance of probabilities'

When an organisation investigates an allegation of reportable conduct, it must determine whether the conduct occurred "on the balance of probabilities".

What does 'balance of probabilities' mean?

More likely than not

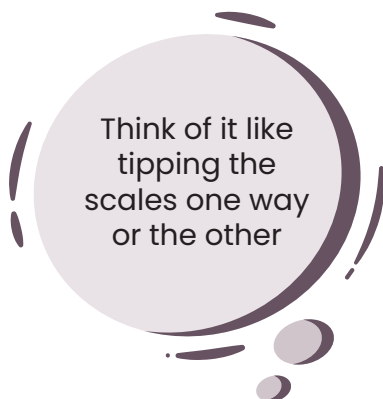
Based on the available evidence, is it more than 50% likely the conduct occurred?

Not absolute proof

Unlike criminal cases, it does not require proof beyond a reasonable doubt.

Weighing all evidence

Investigators assess facts, statements, and credibility to reach a reasonable conclusion.



The Briginshaw test

The **Briginshaw test** helps refine how the balance of probabilities is applied, especially in serious cases. It doesn't change the balance of probabilities but raises the level of caution depending on the seriousness of the allegation.

What does the Briginshaw test mean?

More serious allegations need stronger evidence

While still applying the balance of probabilities, more serious allegations need more convincing evidence.

Mere suspicion is not enough

Investigators must rely on solid evidence rather than assumptions or weak claims.

Common-sense approach

Decisions should be fair, logical, and based on a careful assessment of all available information.



In short, while the standard of proof remains "more likely than not," serious allegations require greater caution and stronger supporting evidence.

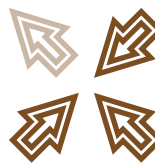
Activity: Spot the weak and irrelevant evidence

In this activity, you'll be given a list of evidence collected in an investigation.
Your task is to sort each piece of evidence into one of these categories:



Strong

Objective, credible, and relevant to the allegation.



Moderate

Some value, but may be incomplete or less reliable on its own.



Weak

Questionable accuracy, incomplete, or inconsistent.



Irrelevant

Doesn't help establish whether the conduct occurred.

Use these questions to guide your thinking

1. Is the source credible?
2. Is it first-hand or hearsay?
3. Is it consistent with other evidence?
4. Does it directly relate to the allegation?

Scenario

A 15-year-old student reports that a teacher grabbed their thigh inappropriately during a one-on-one music lesson.

The evidence

Strong

Moderate

Weak

Irrelevant

Statement from another student saying they "heard from someone else" that the teacher "has done things like this before."

☐☐☐☐

CCTV footage from outside the music room showing the student and teacher entering the room alone.

☐☐☐☐

A witness statement from another staff member who was in the same building but not in the room, saying they "didn't see anything."

☐☐☐☐

Previous report about the teacher sending text messages to another student's personal phone with love heart and winky face emojis.

☐☐☐☐

Statement from another staff member saying they think the teacher swore at a student a few years ago, but it was not reported.

☐☐☐☐

Statement from the student's close friend saying the student seemed upset after the lesson.

☐☐☐☐

Medical report from the school nurse noting a fresh bruise on the student's thigh, consistent with the timing of the allegation.

☐☐☐☐

Lesson attendance records showing only the student and teacher were scheduled for the room at that time.

☐☐☐☐

Let's check your responses

Below are the suggested answers for each prompt in the activity, along with a short explanation.

Statement from another student saying they "heard from someone else" that the teacher "has done things like this before."

Weak

Hearsay from an unverified source—low reliability.

CCTV footage from outside the music room showing the student and teacher entering the room alone.

Moderate

Objective and credible, shows opportunity but not the alleged act.

A witness statement from another staff member who was in the same building but not in the room, saying they "didn't see anything."

Weak

No direct observation of the event—absence of seeing something is not proof.

Previous report about the teacher sending text messages to another student's personal phone with love heart and winky face emojis.

Moderate

Suggests a possible pattern of behaviour, but not directly about this incident.

Statement from another staff member saying they think the teacher swore at a student a few years ago, but it was not reported.

Irrelevant

Unrelated type of alleged behaviour, not connected to current allegation.

Statement from the student's close friend saying the student seemed upset after the lesson.

Moderate

Supports possible impact on the student but doesn't prove the contact happened.

Medical report from the school nurse noting a fresh bruise on the student's thigh, consistent with the timing of the allegation.

Moderate

Objective, physical evidence
that could support the
allegation.

Lesson attendance records showing only the student and teacher were scheduled for the room at that time.

Moderate

Confirms opportunity but not whether the conduct occurred.

Pause here

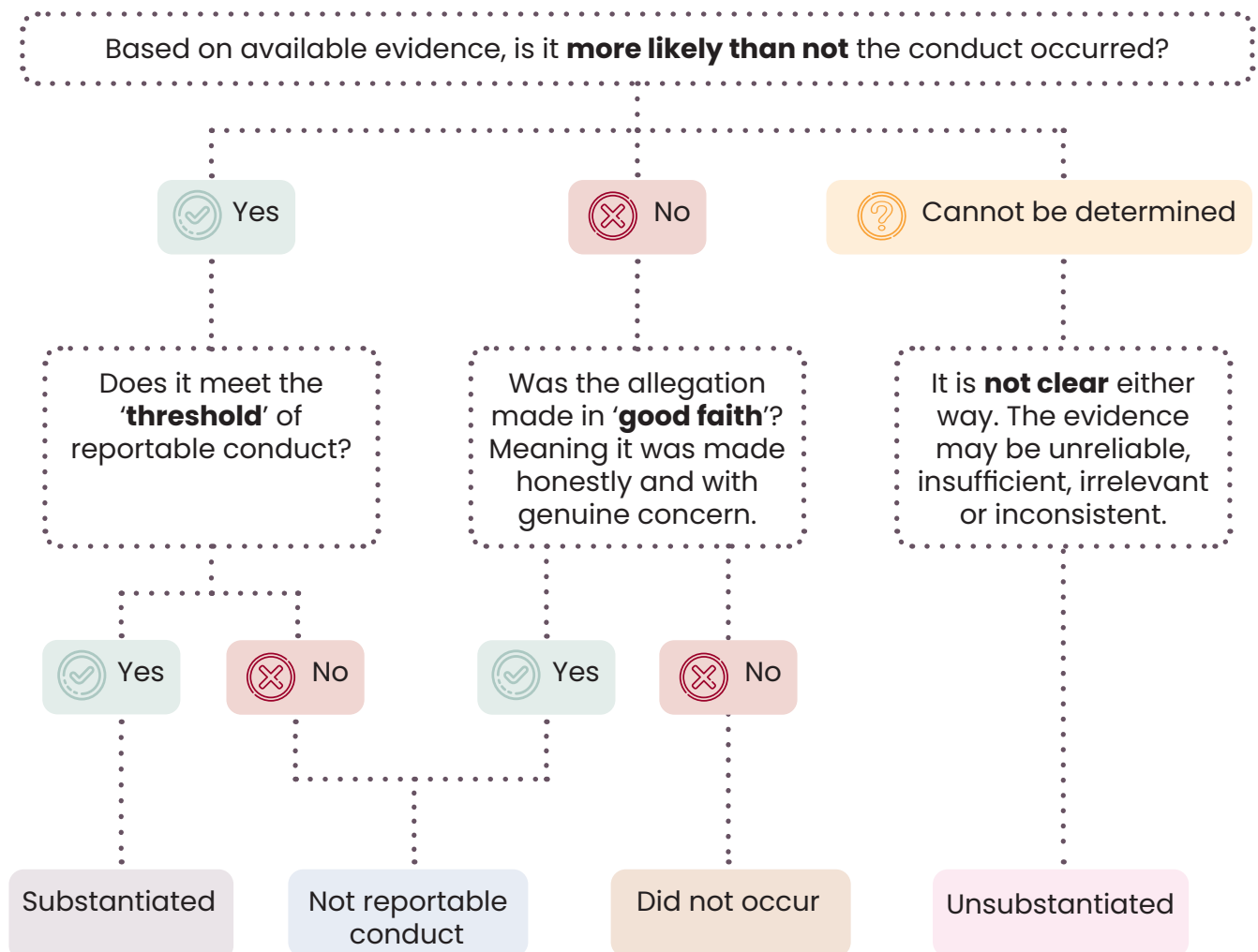
Did you notice any evidence that felt tricky to categorise? Why?

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has rounded corners on the left side and a small tab-like cutout at the top center.

Activity: Determining the outcome

Use the decision tree below to classify whether a scenario is reportable conduct.

On the next page, you will find five scenarios, each with a list of evidence. For each scenario, review the alleged reportable conduct and the evidence provided.



Key term	Definition
Reportable conduct	Six types of criminal and non-criminal behaviour by workers towards, or in the presence of, children and young people.
Not reportable conduct	Does not meet the definition of reportable conduct in the <i>Child and Youth Safe Organisations Act 2023</i> . For more information please see pages 25–40.
Threshold	Behaviour that meets the definition of reportable conduct under a Reportable Conduct Scheme.
Substantiated	Reportable conduct has been proven to have occurred. This is proven through investigation, collecting evidence, and assessing on the balance of probabilities (i.e. is it more likely than not that the incident occurred).
Unsubstantiated	Reportable conduct has not been proven to have occurred.
Did not occur	Based on the evidence, the allegation did not occur .

Scenario 1

A student reports that a staff member hit the wall next to their head in the school corridor to scare them.

Reportable conduct type being alleged

Physical violence

Evidence gathered

- CCTV footage does not cover the location of the alleged incident and no witnesses were present.
- The staff member denies the allegation.
- No physical injury was recorded.

Scenario 1 outcome and reasoning:

Scenario 2

A staff member is accused of speaking to a child in a sarcastic tone that upset them.

Reportable conduct type being alleged

Significant emotional or psychological harm

Evidence gathered

- Multiple witnesses confirm the staff member spoke in a sarcastic tone but it did not appear to be belittling or cruel.
- The child says it was the first time it happened, it bothered them a little, but the staff member later apologised and they resolved the matter.
- The staff member admits using a sarcastic tone and says they did not intend to upset the child.

Scenario 2 outcome and reasoning:

Scenario 3

A sports coach is alleged to have shared a sexually explicit meme in a private group chat that included players aged under 18.

Reportable conduct type being alleged

Sexual misconduct

Evidence gathered

- One player provides a screenshot of the meme.
- Several group members confirm the meme was posted, and says the coach has sent sexual memes and messages in the group before, and directly to other members before they turned 18.
- The coach admits to sharing the meme and says "I didn't think it would matter, they're all almost 18 anyways".
- The group chat's membership list confirms at least two under-18 members.

Scenario 3 outcome and reasoning:

Scenario 4

A 17-year-old reports that a youth worker repeatedly offered them free tickets to concerts and movies, sent frequent late-night messages from personal accounts asking sexual questions, and suggested they keep their friendship secret from other staff.

Reportable conduct type being alleged

Grooming or sexual misconduct

Evidence gathered

- Message records show multiple offers of free tickets and late-night communication.
- Some messages reference “keeping things between us” and repeatedly ask personal sexual questions, including whether the young person is a virgin.
- The youth worker says they were “just being friendly” and wanted the young person to feel included.

Scenario 4 outcome and reasoning:

Scenario 5

A staff member is accused of hitting a child during an excursion. The complaint is made by another staff member.

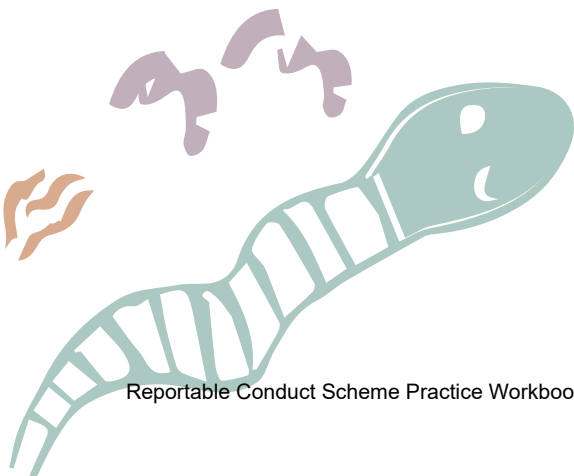
Reportable conduct type being alleged

Physical violence

Evidence gathered

- HR records confirm the accused staff member was on annual leave on the date of the alleged incident.
- Witness accounts confirm the accused staff member was not present on the excursion.
- The colleague making the complaint has previously made multiple unsubstantiated allegations against this staff member following workplace disagreements.

Scenario 5 outcome and reasoning:



Let's check your responses

Find suggested answers for each prompt in the activity, along with a short explanation on the following page.

It is important to remember that in real investigations, determining outcomes requires careful judgement and may vary depending on additional context and information.

Scenario 1

A student reports that a staff member hit the wall next to their head in the school corridor to scare them.

Assessed

Unsubstantiated

Reasoning

On the balance of probabilities, it cannot be established whether the conduct occurred or not. Evidence is insufficient and incomplete—there are no witnesses or recordings, and accounts are conflicting.

Scenario 2

A staff member is accused of speaking to a child in a sarcastic tone that upset them.

Assessed

Not reportable conduct

Reasoning

On the balance of probabilities, the conduct occurred. However, the evidence does not indicate harm that meets the threshold for significant emotional or psychological harm. The conduct was unprofessional and may breach the organisation's code of conduct.

Scenario 3

A sports coach is alleged to have shared a sexually explicit meme in a private group chat that included players aged under 18.

Assessed

Substantiated

Reasoning

On the balance of probabilities, the conduct occurred—there is clear evidence the meme was shared. The behaviour meets the threshold for sexual misconduct because sexually explicit content was shared with children with a sexual intent.

Scenario 4

A 17-year-old reports that a youth worker repeatedly offered them free tickets to concerts and movies, sent frequent late-night messages from personal accounts asking sexual questions, and suggested they keep their friendship secret from other staff.

Assessed

Substantiated

Reasoning

On the balance of probabilities, the conduct occurred—there is clear documentation of grooming behaviours, including boundary violations, secrecy, personal sexual questioning, and special treatment of a young person.

Scenario 5

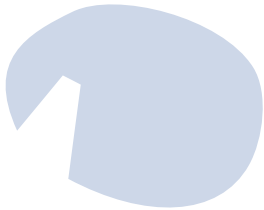
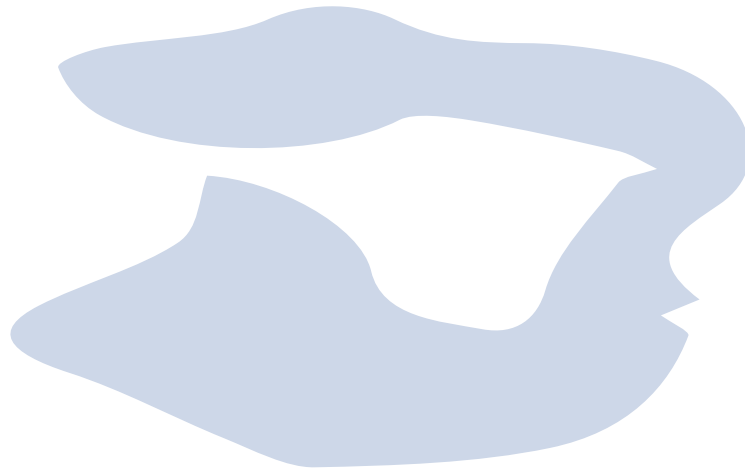
A staff member is accused of hitting a child during an excursion. The complaint is made by another staff member.

Assessed

False

Reasoning

On the balance of probabilities, the conduct did not occur—records and witness accounts confirm the accused was not present. Prior history of unfounded complaints from the same reporter further supports that the allegation was not made in good faith.



Weighing evidence and determining outcomes

Common misunderstandings and what you should know

“ There needs to be proof beyond a reasonable doubt. ”

Reportable conduct investigations use the balance of probabilities standard. This means the investigator decides if it is more likely than not that the conduct happened.

The “beyond reasonable doubt” standard is used in criminal cases and requires a much higher level of proof.



“ I should include every piece of evidence in the final report, even if it’s irrelevant. ”



Final reports should include only evidence that is **relevant and credible**—information that helps support the findings. Including irrelevant evidence can confuse the reader and weaken the report’s message.

“ An investigation being unsubstantiated means it 100% did not happen. ”

Unsubstantiated means there wasn't enough reliable evidence to prove the allegation either way. It doesn't mean the conduct definitely didn't happen, only that it couldn't be confirmed.



“ The absence of physical evidence means the allegation is false. ”

Physical evidence isn't always available or needed. Just because there is no physical proof doesn't mean the conduct didn't happen. Other strong evidence can still support the finding.



“ A single strong piece of evidence is always enough to substantiate an allegation. ”

Strong evidence is important, but decisions should be based on all the evidence together. The full context and how all information fits together are what matter most.





Learning and improving from investigations

What will I learn?

By the end of this section, you'll understand:



how to use those findings to strengthen organisational practices, policies, and environments



how to identify practical next steps and prevent similar incidents in the future.

Activity



Identify the next steps: Read through four fictional scenarios and identify insights that could be used to prevent similar incidents in the future.



Practice reflection: Use the questions and templates to reflect on an investigation in your organisation and strengthen how you create a safer, more supportive environment for children and young people.

How long will it take?



Approximately 20–40 minutes—depending on how much time you spend on activities or team discussions.

Do I need to know anything before diving in?

Yes—it's helpful to have completed the sections on:

- Understanding the Reportable Conduct Scheme
- Identifying reportable conduct
- Supporting children and young people to raise concerns
- Weighing evidence and determining outcomes.

You should also know this document references harm and abuse affecting children and young people. Please take care while reading.

Learning and improving from investigations

WHAT is it?

Learning and improving from investigations means the findings and outcomes of investigations strengthen your organisation's child-safe practices. It's about looking at what happened, identifying what worked well and what didn't, and making changes so that risks are reduced and children are better protected.

WHY does it matter?

It helps ensure that when something goes wrong, the same mistakes are not repeated. And when something goes well, those lessons can be expanded on to strengthen other practices in your organisation.

HOW does this impact me?

If you are a **leader**, it means you need to be able to use and apply the insights available to you to address issues before they happen again, and reduce risks to children in your organisation.

If you are a **worker**, it means you learn from past experiences and are always improving your practice.

Five key things to know about Learning and improving from investigations

1

Reportable conduct investigations are opportunities to improve.

Each investigation provides insights that can strengthen your organisation's child-safe practices, policies, and culture.

2

Review incidents regularly to identify broader trends and patterns.

Repeated issues or common challenges can indicate systemic problems that need attention. Organisations should regularly review use incidents and feedback to create safer, more supportive environments.

3

It's about more than the individual investigation.

Improvements aren't just about the worker under investigation—they should focus on preventing similar incidents across the organisation in the future.

4

Unsubstantiated investigations provide opportunities for improvement.

Unsubstantiated allegations—especially if they occur frequently—may point to gaps in information capture or record-keeping practices. Strengthening these processes can improve the quality and availability of information.

5

Embed investigation learnings into staff practice.

Ensure staff understand lessons learned from investigations and know how to apply them in their day-to-day work.

Not sure? Contact the OIR.

We welcome questions if you're unsure.



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Let's talk theory.

Six key areas to reflect on when learning from an investigation

Policies and procedures

- Are there gaps in our policies or procedures that may have contributed to this incident?
- What changes could make expectations clearer and reduce future risks?
- How can policies support consistent, safe decision-making across the organisation?

Training and skills

- What training or skills do staff need to prevent similar incidents?
- Could refresher courses, induction, or mentoring strengthen practice?
- How can lessons from this investigation be embedded into staff development?

Environment and safety

- Did the physical environment increase risk?
- What environmental changes (e.g. layout, equipment, signage) could make the space safer?
- Are there simple fixes that could prevent similar incidents?

Communication and records

- Were records and documentation sufficient to understand what happened?
- How can record-keeping be improved for transparency and accountability?
- How can communication with children, families, and staff be clearer and safer?

Culture and learning

- Are there patterns in incidents that suggest broader system issues?
- How can we promote a culture of safety and learning from incidents?
- How can lessons from this investigation be shared across the organisation?

Risk mitigation and monitoring

- Are there patterns in incidents that suggest broader system issues?
- How can we promote a culture of safety and learning from incidents?
- How can lessons from this investigation be shared across the organisation?

Activity: Identify the next steps

Read the scenarios below and consider how the organisation could improve safety and practices—even when allegations are not substantiated or do not meet the threshold for reportable conduct—under each of the six key areas.

Focus on identifying changes that could prevent similar incidents in the future. This isn't just about responding to a single incident or worker—it's about spotting patterns and strengthening systems, environments, and practices across the organisation.

Scenario 1

A parent reported seeing a worker roughly yank a child by the back of their shirt

Outcome

Not reportable conduct. Investigation found the child had slipped near a set of steps and the worker grabbed them to prevent a fall. There was a leak from a nearby gutter that made the ground wet.

Policies and procedures	Training and skills	Environment and safety
Communication and records	Culture and learning	Risk mitigation and monitoring

Scenario 2

A worker sent sexually explicit messages to a child's phone from their personal device.

Outcome

Substantiated. Evidence indicated the worker was able to access the child's contact details through work systems.

Policies and procedures	Training and skills	Environment and safety
Communication and records	Culture and learning	Risk mitigation and monitoring

Scenario 3

A staff member was observed raising their voice at a child during a group activity. No harm occurred, but the child appeared startled.

Outcome

Not reportable conduct. Evidence indicated staff member was not fully trained in de-escalation and child engagement techniques.

Policies and procedures	Training and skills	Environment and safety
Communication and records	Culture and learning	Risk mitigation and monitoring



Take the time to get to know the children and young people you support—particularly those with extra or complex needs. This helps staff know how to act in ways that keep children safe and avoid triggering or traumatising them.

Scenario 4

A historical allegation was made against a worker for inappropriate behaviour five years ago.

Outcome

Not substantiated. There was insufficient evidence, and no records were kept from the time of the alleged incident.

Policies and procedures	Training and skills	Environment and safety
Communication and records	Culture and learning	Risk mitigation and monitoring

Let's check your responses

Below are the suggested answers for each prompt in the activity, along with a short explanation.

Scenario 1

Policies and procedures	Training and skills	Environment and safety
<ul style="list-style-type: none"> Update procedures if it's unclear how staff should respond. 	<ul style="list-style-type: none"> Organise short refresher on spotting and preventing accidents. 	<ul style="list-style-type: none"> Fix leaks, add non-slip surfaces, mark steps clearly.
Communication and records	Culture and learning	Risk mitigation and monitoring
<ul style="list-style-type: none"> Encourage staff to report near-misses so problems can be fixed quickly. Record hazards and actions taken. 	<ul style="list-style-type: none"> Recognise staff who spot risks early. 	<ul style="list-style-type: none"> Walk through spaces regularly to spot hazards. Keep track of incidents to see if patterns are emerging.

Scenario 2

Policies and procedures	Training and skills	Environment and safety
<ul style="list-style-type: none"> Update policies on acceptable device and messaging use. 	<ul style="list-style-type: none"> Train all staff on professional boundaries and safe technology use. 	<ul style="list-style-type: none"> Limit who can see children's contact details. Monitor digital communication.
Communication and records	Culture and learning	Risk mitigation and monitoring
<ul style="list-style-type: none"> Make reporting lines for breaches simple and clear. Keep accurate records of incidents and follow-ups. 	<ul style="list-style-type: none"> Promote a workplace where inappropriate behaviour is reported immediately. Re-enforce the Code of Conduct for all staff. 	<ul style="list-style-type: none"> Audit IT systems regularly. Check that staff follow policies and update as needed.

Scenario 3

Policies and procedures	Training and skills	Environment and safety
<ul style="list-style-type: none"> • Include guidance on managing challenging behaviour in staff induction. • Make rules about raising your voice or using physical intervention clear. 	<ul style="list-style-type: none"> • Train staff on de-escalation and positive ways to manage behaviour. • Use mentoring and supervision to reinforce learning. 	<ul style="list-style-type: none"> • Ensure enough staff are present to support children.
Communication and records	Culture and learning	Risk mitigation and monitoring
<ul style="list-style-type: none"> • Record incidents even if no harm occurs. • Share lessons learned in team meetings. 	<ul style="list-style-type: none"> • Encourage staff to reflect on how they interact with children. • Support staff to ask for help when unsure. 	<ul style="list-style-type: none"> • Observe practice to make sure training is applied. • Spot patterns in staff behaviour early and provide support.

Scenario 4

Policies and procedures	Training and skills	Environment and safety
<ul style="list-style-type: none"> • Update policies to make sure all incidents are documented and traceable. • Have clear rules for how long records are kept. 	<ul style="list-style-type: none"> • Train staff to document incidents accurately and quickly. • Run refresher sessions on record-keeping. 	<ul style="list-style-type: none"> • Store records securely. • Check old practices to see if improvements are needed.
Communication and records	Culture and learning	Risk mitigation and monitoring
<ul style="list-style-type: none"> • Keep detailed records of all incidents, even unsubstantiated ones. • Check your organisation's retention requirements. 	<ul style="list-style-type: none"> • Encourage transparency and accountability. • Use lessons from past incidents to improve current practices. 	<ul style="list-style-type: none"> • Audit record-keeping regularly. • Fix gaps and monitor compliance with documentation policies.

Activity: Reflect on an investigation in your organisation

After an investigation, there are often opportunities to improve your organisation's practices based on what you learned.

Use the questions below to think about what changes could strengthen policies, training, the physical environment, communication, and overall culture in your organisation following an investigation.

The goal is to prevent similar incidents in the future and create a safer, more supportive environment for children and young people.

Case study investigation details

Before you begin reflecting, capture the key details of the investigation you are focusing on in the following page. This will help ground your answers in a specific example.

Note: Do not record names or identifying information. Keep your responses general and focused on organisational learning.

- What type of incident or issue was investigated?
- Where did it occur (e.g. online, service area, staff room)?
- Who was involved (e.g. staff, volunteers, children/young people, families)?
- What were the main contributing factors or circumstances?
- What actions were taken during the investigation (e.g. immediate response, reporting, follow-up)?
- What was the outcome or resolution of the investigation?

[illegible]

Policies and procedures

- Are there gaps in our policies or procedures that may have contributed to this incident?
- What changes could make expectations clearer and reduce future risks?
- How can policies support consistent, safe decision-making across the organisation?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Training and skills

- What training or skills do staff need to prevent similar incidents?
- Could refresher courses, induction, or mentoring strengthen practice?
- How can lessons from this investigation be embedded into staff development?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Environment and safety

- Did the physical environment increase risk?
- What environmental changes (e.g. layout, equipment, signage) could make the space safer?
- Are there simple fixes that could prevent similar incidents?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Communication and records

- Were records and documentation sufficient to understand what happened?
- How can record-keeping be improved for transparency and accountability?
- How can communication with children, families, and staff be clearer and safer?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Culture and learning

- Are there patterns in incidents that suggest broader system issues?
- How can we promote a culture of safety and learning from incidents?
- How can lessons from this investigation be shared across the organisation?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Risk mitigation and monitoring

- Are there patterns in incidents that suggest broader system issues?
- How can we promote a culture of safety and learning from incidents?
- How can lessons from this investigation be shared across the organisation?

Reflections

Action planning

Brainstorm some practical actions you can take right now and some steps you can take next to address identified gaps and opportunities. Keep them specific, realistic, and actionable.

Steps you can take now

Steps you can take next

Action Plan

Now that you've reflected and brainstormed, it's time to fill in the below Action Plan. Select some practical actions and fill them in below.



Reminder

Before starting this work, make sure any **urgent risks** to children and young people's immediate safety are dealt with first.

 Theme Which of above themes does it relate to (e.g. policy, training, culture)	 What What is the task/action you are going to do? Make it clear and practical.	 When Set a realistic deadline	 Who Who is responsible for making this happen, and who will contribute/support?	 Data How will you know if it has worked?

 Data			
 Who			
 When			
 What			
 Theme			

 Data			
 Who			
 When			
 What			
 Theme			

Learning and improving from investigations

Common misunderstandings and what you should know

“ Once an investigation is finished, the job is done. ”

Investigations are just the start. The real work is using what you've learned to improve policies, training, and practices to prevent future incidents.



“ If nothing serious happened, there's nothing to learn. ”



Minor and unsubstantiated incidents can highlight gaps in procedures, training, supervision, or the environment that need attention and could snowball into bigger problems.

“Improvements and changes should only apply to the worker involved.”

Even if the incident involved one person, changes can reduce risk for everyone and improve overall safety for children and young people.



“Patterns only matter if they happen frequently.”

Early patterns or recurring themes, even if infrequent, can signal risks that need attention and action.



“Updating a policy once is enough.”

Policies and procedures should be reviewed regularly, informed by ongoing incidents and feedback, to ensure they remain effective and relevant.

